

Samuel H. Jackson, to be postmaster at Claysville, in the county of Washington and State of Pennsylvania.

Samuel B. Sickelsmith, to be postmaster at Newhaven, in the county of Fayette and State of Pennsylvania.

John C. F. Miller, to be postmaster at Rockwood, in the county of Somerset and State of Pennsylvania.

#### RHODE ISLAND.

Warren W. Logee, to be postmaster at Pascoag, in the county of Providence and State of Rhode Island.

George E. Gardner, to be postmaster at Wickford, in the county of Washington and State of Rhode Island.

#### SOUTH DAKOTA.

James B. Barber, to be postmaster at Rapid City, in the county of Pennington and State of South Dakota.

### HOUSE OF REPRESENTATIVES.

MONDAY, January 26, 1903.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

#### POSTMASTER AT INDIANOLA, MISS.

Mr. LOUD. Mr. Speaker, I desire to present a privileged report from the Committee on Post-Offices and Post-Roads.

The SPEAKER. The gentleman from California [Mr. LOUD] calls up a privileged report, which the Clerk will read.

The Clerk read as follows:

The Committee on the Post-Office and Post-Roads have had under consideration the resolution No. 388, and beg to report the same back to the House with the recommendation that the same pass, with the following amendment: Strike out all after the word "Mississippi," in line 6.

The clause proposed to be struck out by the committee is as follows:

And to state why, so far as he may know, such resignation has not been accepted and a new appointment made, so that the people of said town may be provided with the privileges of post-office service.

The following is the resolution as proposed to be amended:

Resolved, That the Postmaster-General be requested to transmit to the House of Representatives, if not inconsistent with the public interest, a copy of all correspondence and other documents in his possession or under his control pertaining to the recent resignation of the postmaster at Indianola, in the State of Mississippi.

The SPEAKER. The question is on the amendment reported by the committee.

Mr. RICHARDSON of Tennessee. I understand that this is a unanimous report. Am I correct in that?

Mr. LOUD. It is.

The SPEAKER. The question is on agreeing to the amendment.

Mr. WILLIAMS of Mississippi. I should like to ask a question of the gentleman from California [Mr. LOUD].

Mr. LOUD. I yield to the gentleman for that purpose.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I was busy at the moment that this report was read. Does the resolution, as now presented, call upon the President as well as upon the Postmaster-General for correspondence in his hands?

Mr. LOUD. I will state that it does not. It calls upon the Postmaster-General.

Mr. WILLIAMS of Mississippi. Well, Mr. Speaker, a parliamentary inquiry: Would it be in order to offer an amendment to the resolution?

Mr. LOUD. I am not disposed to yield for an amendment.

The SPEAKER. The gentleman from California controls the time on the resolution.

Mr. WILLIAMS of Mississippi. I wanted to offer an amendment, if the gentleman would yield for that purpose, calling upon the President, as well as the Postmaster-General, for correspondence in his hands.

Mr. LOUD. I want to state for the information of the gentleman that the committee have arrived at a unanimous report upon this resolution, and we are satisfied that the correspondence in this case is in the hands of the Postmaster-General.

Mr. WILLIAMS of Mississippi. I am informed that there are some communications in the hands of the President, and we should like to have them, in order that light may be fully shed on this question. If the gentleman will yield for that purpose, I will offer an amendment to insert the words "President and" just before the word "Postmaster-General."

Mr. LOUD. I regret to say that I can not yield for that purpose.

Mr. WILLIAMS of Mississippi. Very well.

Mr. SWANSON rose.

The SPEAKER. Does the gentleman from California yield to the gentleman from Virginia [Mr. SWANSON]?

Mr. LOUD. Yes, sir.

Mr. SWANSON. I understand from the gentleman from Cali-

fornia that all the correspondence in this case will be sent to the House under this resolution, except, I think, one personal letter, which it is claimed was written to the President, which he claims was a personal letter, and which the public interest would not permit to be sent under the resolution if it had been amended as suggested. That is the reason why an amendment offered by myself in the committee, to insert the word "President," was not pressed. It was upon the assurance that all the papers would be communicated for the consideration of the House—

Mr. WILLIAMS of Mississippi. Except some.

Mr. SWANSON. Except a letter that the President claims is a personal letter, and which he says it would not be compatible with the public interest for him to communicate. That is my understanding, and the reason why we did not insist that an amendment inserting the word "President" should be included. Our understanding was that all the correspondence would be sent in.

The SPEAKER. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The resolution as amended was adopted.

On motion of Mr. LOUD, a motion to reconsider the last vote was laid on the table.

#### FORTIFICATIONS APPROPRIATION BILL.

Mr. HEMENWAY, from the Committee on Appropriations, reported the bill (H. R. 17046) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. PAYNE. I reserve all points of order.

The SPEAKER. The gentleman from New York reserves all points of order on the bill.

#### NATIONAL FLORENCE CRITTENTON MISSION.

Mr. BABCOCK. Mr. Speaker, I call up for consideration the bill (H. R. 14899) to amend an act entitled "An act to incorporate the National Florence Crittenton Mission."

The SPEAKER. The gentleman from Wisconsin, chairman of the Committee on the District of Columbia, calling up the business of that committee, submits the following bill.

The bill was read, as follows:

Be it enacted, etc., That an act entitled "An act to incorporate the National Florence Crittenton Mission," approved April 9, 1898, is hereby amended so as to read as follows:

"That Charles N. Crittenton, Franklin B. Waterman, Wager Swayne, Kate Waller Barrett, and Charles S. Morton, and their associates and successors, are hereby constituted a body politic and corporate in the District of Columbia in perpetuity, by the name of the 'National Florence Crittenton Mission,' for the following purposes, namely: To aid and encourage destitute, homeless, and depraved women and men to seek reformation of character and respectability and to reach positions of honorable self-support, and especially to provide for women and young girls who have led profligate lives, or having been betrayed from the path of virtue are sincerely willing to reform, temporary homes and employment until they can be restored to friends or established in honest industry; also to establish homes for working girls; and for those purposes to carry on such homes, industrial enterprises, and such other instrumentalities as may be adapted thereto. Said corporation, through its board of trustees, shall have power to have and use a common seal, to sue and be sued, to plead and be impleaded in any court of the United States, to collect subscriptions, make reasonable by-laws, rules, and regulations needful for the government of said corporation and giving effect to the objects of its creation, not inconsistent with the Constitution and laws of the United States; to receive, have, and hold real and personal estate by purchase, gift, or devise, and the same to use, sell, and convey for the reasonable purposes and benefit of said corporation; to receive, have, and hold real and personal estate in trust for the uses, purposes, and benefit of the said corporation in founding and carrying on its homes for women and girls and other enterprises as aforesaid, and the same to use, sell, and convey in accordance with the terms of any such trust or trusts; to employ such officers, agents, and employees as they may reasonably deem necessary for such purposes; to fix their compensation, duties, and obligations, and change or remove them as often as in their judgment the interests of the said corporation may require.

"SEC. 2. That the number of trustees for the first year of said organization shall be five, namely: Charles N. Crittenton, Franklin B. Waterman, Wager Swayne, Kate Waller Barrett, and Charles S. Morton; and any and all vacancies which may occur in said board of trustees shall be filled by an affirmative vote of a majority of the trustees present entitled to vote at any meeting duly called or set for that purpose. The right to alter, amend, or repeal this act at any time is hereby expressly reserved."

The following amendment, recommended by the Committee on the District of Columbia, was read:

In line 11, page 2, strike out the words "in any court of the United States."

Mr. PEARRE. Mr. Speaker—

The SPEAKER. Does the gentleman from Wisconsin yield?

Mr. BABCOCK. I yield to the gentleman from Maryland who made the report, Mr. Speaker.

The SPEAKER. How much time is yielded?

Mr. BABCOCK. As much time as is necessary.

The SPEAKER. The gentleman from Maryland.

Mr. PEARRE. Mr. Speaker, there are two other amendments made necessary by the death of Wager Swayne, one of the incorporators.

The SPEAKER. Will the gentleman please send up his amendment? The Clerk will report the amendments offered by the gentleman from Maryland.

The Clerk read as follows:

In line 8, page 1, strike out "Wager Swayne" and insert "John Joy Edson." On page 3, line 8, strike out "Wager Swayne" and insert "John Joy Edson."

The amendments were agreed to.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. PEARRE, a motion to reconsider the last vote was laid on the table.

#### ABATEMENT OF NUISANCES IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I call up the bill (H. R. 13630) to provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes.

The bill was read, as follows:

*Be it enacted, etc.,* That whenever the owner of any real property in the District of Columbia shall fail or refuse, after the service of reasonable notice in the manner hereinafter provided, to correct any condition which exists on or has arisen from such property in violation of law or of any regulation made by authority of law, with the correction of which condition said owner is by law or by said regulation chargeable, or to show cause, sufficient in the judgment of the Commissioners of said District, why he should not be required to correct such condition, then, and in that instance, the Commissioners of the District of Columbia may, and they are hereby authorized to, cause such condition to be corrected, to assess the cost of correcting such condition and all expenses incident thereto (including the cost of publication, if any, hereinafter provided for) as a tax against the property on which such condition existed or from which such condition arose, as the case may be; to carry such tax on the regular tax rolls of said District, and to collect such tax in the same manner as general taxes in said District are collected: *Provided*, That the correction of any condition aforesaid by said Commissioners under authority of this section shall not relieve the owner of the property on which such condition existed, or from which such condition arose, from criminal prosecution and punishment for having caused or allowed such unlawful condition to arise or for having failed or refused to correct the same.

SEC. 2. That for the purpose of carrying into effect section 1 of this act the Commissioners of the District of Columbia and all other persons, including contractors and employees of contractors acting under their authority or by their direction, be, and they are hereby, authorized to enter upon and into any lands and tenements in said District, during all reasonable hours, to inspect the same and to do whatever may be necessary to correct, in a good and workmanlike manner, any condition that exists on or has arisen from such lands or tenements in violation of law or of any regulation made by authority of law, with the correction of which condition the owner of said lands or tenements is by law or such regulation chargeable. Any person who shall hinder, interfere with, or prevent any inspection or work authorized by this act shall, upon conviction thereof, be punished by a fine not exceeding \$100, or by imprisonment for a period not exceeding three months, or by both such fine and imprisonment, in the discretion of the court.

SEC. 3. That for the purposes of this act any notice required by law or by any regulation aforesaid to be served shall be deemed to have been served (a) if delivered to the person to be notified, or if left with any adult person at the usual residence or place of business of the person to be notified, in the District of Columbia; or, (b) if no such residence or place of business can be found in said District by reasonable search, if left with any adult person at the office of any agent of the person to be notified, which agent has any authority or duty with reference to the land or tenement to which said notice relates; or, (c) if no such office can be found in said District by reasonable search, if forwarded by registered mail to the last known address of the person to be notified and not returned by the post-office authorities; or, (d) if no address be known or can by reasonable diligence be ascertained, or if any notice forwarded as authorized by the preceding clause of this section be returned by the post-office authorities, if published on three consecutive days in a daily newspaper published in the District of Columbia; or, (e) if by reason of an outstanding, unrecorded transfer of title the name of the owner in fact cannot be ascertained beyond a reasonable doubt, if served on the owner of record in the manner hereinbefore in this section provided. Any notice required by law or by any regulation aforesaid to be served on a corporation shall for the purposes of this act be deemed to have been served on any such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right; and, if required to be served on any foreign corporation, if served on any agent of such corporation personally, or if left with any adult person at the usual residence or place of business of such agent in the District of Columbia. Every notice aforesaid shall be in writing or printing, or partly in writing and partly in printing; shall be addressed by name to the person to be notified; shall describe with certainty the character and location of the unlawful condition to be corrected, and shall allow a reasonable time to be specified in said notice within which the person notified may correct such unlawful condition or show cause why he should not be required to do so.

SEC. 4. That all acts and parts of acts inconsistent with this act be, and the same are hereby, repealed.

Mr. HEPBURN. Does this bill include, among the other nuisances that I suppose are to be abated, that which comes from the refusal of property owners to clear the pavements of deposits of snow?

Mr. BABCOCK. I will say to the gentleman that while I did not report the bill, I do not understand that it deals with the snow and ice question at all.

Mr. HEPBURN. Is there any provision of law in this District that compels the owners of unoccupied lots or of occupied lots to clean from their pavements accumulations of snow?

Mr. BABCOCK. There is a law of that kind, but it has been found to be defective in the notice that is required. The courts have held, I believe, that it is not competent to notify the agent of the property, and there is now pending before the District Committee an amendment to the present law.

Mr. MADDOX. Mr. Speaker, we can not hear a word that is

being said, and nobody over here knows what the bill is, so far as I know. I would like to have the chairman of the committee tell us what this bill is before we are called upon to vote for it.

Mr. BABCOCK. Mr. Speaker, I yield to the gentleman from Maryland [Mr. PEARRE], who reported the bill.

Mr. PEARRE. Mr. Speaker, this bill only changes existing law in two particulars. The first is that instead of relegating the District authorities to a lawsuit against the party failing to remove a nuisance or to abate it under existing law, it imposes the cost upon the property as a tax, and authorizes and permits the tax officers to collect the cost of the removal or abatement of a nuisance as a tax against the property. It furthermore provides a system of notices, which has been found to be necessary by reason of the fact that there has been no remedy and is no remedy under existing law against a nonresident owner.

Existing law provides that a notice shall be given, but it provides no method of notifying a nonresident owner. In the last section of this bill that hiatus, as it were, in the law is supplied by an elaborate system of notices against nonresident owners, notifying them that there is a nuisance being maintained in or upon their property, and warning them to abate that nuisance within a certain reasonable time. If the nuisance be not abated after that notice has been given in the manner prescribed by the pending bill, then the authorities of the District have the right to go upon the property, abate the nuisance, and collect the charges and costs arising from the abatement of that nuisance against the property as other taxes assessed against the property.

Mr. KLEBERG. May I ask the gentleman a question?

Mr. PEARRE. I yield to the gentleman.

Mr. KLEBERG. Is this the unanimous report of the committee?

Mr. PEARRE. It is the unanimous report of the committee. There is no dissension at all. It is recommended by the health officer and the Commissioners of the District. The members of the House will discover that the existing law on this subject is contained on page 303 of the Supplement to the Revised Statutes of the United States, and consists of the legalization of all the ordinances passed by the old District government, this legalization having been made by a resolution approved on the 24th day of April, 1880, in which all things which constitute nuisance or which shall constitute nuisance in the District of Columbia are defined and certain penalties prescribed. The law has been discovered to be defective in the provision referred to in this bill. The report has the unanimous recommendation of the Commissioners and the health officer, and the committee believes that the bill should pass.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. PEARRE, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### SEWARD PLACE.

Mr. BABCOCK. Mr. Speaker, I call up the following bill. The Clerk read as follows:

A bill (H. R. 15799) to confirm the name of Seward place for the space formed by the intersection of C street south and Pennsylvania and North Carolina avenues, District of Columbia.

*Be it enacted, etc.,* That from and after the passage of this act the space formed by the intersection of C street south and Pennsylvania and North Carolina avenues, from Fourth to Sixth streets east, in the District of Columbia, now commonly known as "Seward place," shall be officially known and designated "Seward square."

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "place" and insert the word "square."

Amend the title so that it will read as follows:

"To confirm the name of Seward square for the space formed by the intersection of C street south and Pennsylvania and North Carolina avenues, District of Columbia."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The amendment to the title was agreed to.

#### TO CANCEL CERTAIN TAXES ASSESSED AGAINST THE KALL TRACT, DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I call up the following bill. The Clerk read as follows:

A bill (H. R. 16099) to cancel certain taxes assessed against the Kall tract.

*Be it enacted, etc.,* That the award and assessment of benefits of \$14,000, made by the jury, and confirmed by the court, against four certain parcels of land known as the Kall tract, which are more particularly described in a certain petition and plat attached thereto, filed by the Commissioners of the District of Columbia in the supreme court of the District of Columbia, holding a district court for said District, which proceeding is entitled "In re extension of S. Twenty-second, and Decatur streets, No. 549," be, and the same hereby is, annulled, canceled, and for naught held; and said land and every part thereof is forever released and discharged from the lien created by said

assessment, and from the payment of said assessment; and the Commissioners of the District of Columbia are directed to strike the same from the tax books.

Mr. PAYNE. I would like to hear some explanation of this bill.

Mr. BABCOCK. Mr. Speaker, when Congress passed a bill providing for the opening of S, Decatur, and Twenty-second streets NW., in order to make a passage between Connecticut avenue and Massachusetts avenue extended, that bill provided for accepting certain donations of property for the opening of the streets. It provided further that any benefits that might arise by opening these streets should be assessed to abutting property. Now, the facts are, Mr. Speaker, that the owners of the Kall tract, which consisted of about 7 acres, dedicated some 77,000 feet of land. It was valued by the Commissioners at \$80,000. They owned the property on both sides of the proposed street.

The owner of the next piece of property refused to donate, and it was condemned and damages assessed; but instead, Mr. Speaker, of assessing the benefits against the property where the party had failed to contribute, it was assessed against all. Consequently these parties, the owners of the Kall tract, dedicated 77,000 feet of land for the opening of the streets, very nearly 2 acres of ground, and in addition to that were assessed \$14,000 for benefits. Now, the facts are that the parties that refused to donate were not only paid for their land taken at so much per foot, but were assessed proportionately for benefits. The committee, Mr. Chairman, never contemplated that against this property, where the entire street had been donated, there should be assessed benefits; but in the wisdom of the jury that made the assessment they did so, which was in plain violation of the intent of the law. However, the court has held that the action of the jury was proper, and the owners necessarily come to Congress, which is their last resort, for relief. I would ask, Mr. Speaker, in this connection that the Clerk read the report of the Commissioners of the District, which explains the status fully.

The SPEAKER. The Clerk will read the report as a part of the gentleman's remarks:

The Clerk read as follows:

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,  
Washington, January 15, 1908.

DEAR SIR: The Commissioners of the District of Columbia beg to acknowledge receipt of H. R. bill 16099, entitled "A bill to cancel certain taxes against the Kall tract," and to submit the following views thereon:

In the spring of 1899 the owners of the Kall tract, certain ground adjoining Kalorama Heights and supposed to embrace 9 acres, but afterwards found to contain only 7 acres, generously dedicated 77,925 square feet of ground for public use as streets, or two-sevenths of the entire tract. The owner of the adjoining tract, however, declined to contribute any of his ground for such purpose, and 53,428 feet were condemned. The jury found the value of the land taken from him to be \$52,000, and they awarded him that sum in bulk, which is at the rate, on the average, of a little over \$1.54 per square foot. Against this sum they levied benefits to the amount of \$10,000, leaving the net sum of \$42,000 actually paid to him as the result of the condemnation proceedings.

The owners of the Kall tract, on the other hand, were assessed \$14,000 in benefits. They could not, of course, be allowed compensation for the land which they had contributed, and so they found themselves in the position of donating over 77,000 square feet of ground, worth at least \$80,000, and of being asked to pay \$14,000 in addition, or a total of \$94,000 in all; while the owner of the property adjoining, who gave nothing, received \$42,000 in cash. The Commissioners submit that the owners of the Kall tract are acting within the bounds of equity in asking the cancellation of the assessment for benefits, and therefore recommend the passage of the bill.

Very respectfully,

HENRY B. F. MACFARLAND,

President of the Board of Commissioners of the District of Columbia.

Hon. J. W. BABCOCK,

Chairman Committee on the District of Columbia,  
House of Representatives.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BABCOCK, a motion to reconsider the vote by which the bill was passed was laid on the table.

CLOSING PORTION OF ALLEY IN SQUARE 189, WASHINGTON, D. C.

Mr. BABCOCK. Mr. Speaker, I submit the following bill for consideration:

The Clerk read as follows:

A bill (S. 4221) authorizing the Commissioners of the District of Columbia to extinguish a portion of an alley in square 189.

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to abandon that portion of the public alley, 10 feet wide, lying and being in the rear of a portion of lot No. 54, in Hanford & Heiston's subdivision of lots in square No. 189, lying and being in the city of Washington, D. C., as per plat recorded in book 20, page 10, one of the records of the surveyor's office of the said District of Columbia; said portion of said alley being described by metes and bounds as follows: Beginning at the northeast corner of said alley, and running south, on the east line thereof, 10 feet; thence west, on the southerly line of said alley, 20 feet; thence north, 10 feet, and thence east 20 feet to the place of beginning, containing in all 200 square feet of ground. And any and all right, title, interest, and demand that the United States of America or the District of Columbia may have in and to the above-described portion of said alley shall revert to the original dedicatory, his heirs and assigns, provided he pays to the collector of taxes for the District of Columbia an amount equal to the sum that would have been assessed against the land embraced within the above-described

area of the said alley from the time it was laid out to the time this act takes effect as law.

The amendment recommended by the committee was read, as follows:

Page 2, in lines 6 to 14, inclusive, strike out the following: "And any and all right, title, interest, and demand that the United States of America or the District of Columbia may have in and to the above-described portion of said alley shall revert to the original dedicatory, his heirs and assigns, provided he pays to the collector of taxes for the District of Columbia an amount equal to the sum that would have been assessed against the land embraced within the above-described area of the said alley from the time it was laid out to the time this act takes effect as law."

The amendment was agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

TO REDEEM CERTAIN OUTSTANDING CERTIFICATES OF THE BOARD OF AUDIT OF THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I submit the following bill.

The Clerk read as follows:

A bill (S. 3243) to redeem certain outstanding certificates of the board of audit of the District of Columbia.

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to receive and audit certificates of indebtedness No. 7089, for the sum of \$11.19; No. 10363, for the sum of \$22; No. 16423, for the sum of \$21.90; No. 21002, for the sum of \$81.70; No. 21323, for the sum of \$14.23; for the redemption of which there is no existing law, and to pay to the holders of said certificates the amount due thereon, including interest at the rate of 3.65 per cent per annum from the date of their issue to December 31, 1888; and a sufficient amount of money to pay the principal and interest of the aforesaid certificates is hereby appropriated, one-half from the revenues of the District of Columbia and one-half from any money in the Treasury not otherwise appropriated.

Mr. BABCOCK. Mr. Speaker, this bill is on the Calendar of the Committee of the Whole House on the state of the Union. It is practically a duplicate of a bill that has been passed through the House a half dozen times covering the same subject, and I would ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Without objection this course will be pursued.

The amendments recommended by the committee were read, as follows:

Amend the title so that it will read: "A bill to redeem certain outstanding certificates of the board of audit, the board of public works, and the Commissioners of the District of Columbia."

Page 2, line 2, after the word "cents," insert the following: "No. 4695, for the sum of \$20.90; No. 4696, for the sum of \$20.90; No. 4697, for the sum of \$68.20; No. 14780, for the sum of \$54.25; No. 13454, for the sum of \$43.22; No. 16455, for the sum of \$13.19; No. 16456, for the sum of \$13.19."

Page 2, line 3, after the word "Columbia," insert the following: "sewer certificate No. 732, for the sum of \$50, issued by the board of public works of the District of Columbia."

Page 2, line 8, after the word "eighty," insert the following: "and to pay to the holders the amount due on drawback certificates numbered, respectively, 4259, 4618, 7637, 7639, 9570, 9571, 9572, 12863, 15674, 15611, and 16774, amounting in the aggregate to \$327.50; and to redeem tax-lien certificates No. 251, for the sum of \$4.97; No. 349, for the sum of \$9.35; No. 1252, for the sum of \$93.97; and No. 5414, for the sum of \$17.10; and to pay to the holder of tax-sale certificate on lot 3, square No. 947, the sum of \$112.90, with interest at 6 per cent per annum for two years from its date."

The amendments were agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

The amendment to the title was agreed to.

QUITCLAIM OF INTEREST IN AND TO A CERTAIN SQUARE.

Mr. BABCOCK. Mr. Speaker, I call up the bill (H. R. 13791) to quitclaim all interest of the United States of America in and to square 1131, in the city of Washington, D. C., to Sidney Bieber.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and required to grant and convey unto Sidney Bieber, and his heirs and assigns, all the right, title, and interest of the United States in and to a certain square of land in the city of Washington, in the District of Columbia, known upon the plat or plan of said city as square No. 1131, upon the payment by the said Sidney Bieber into the Treasury of the United States of such sum of money as the said Secretary of the Interior, upon consideration of all the circumstances, shall determine proper to be paid by the said Bieber for the said square.

The following amendments recommended by the committee were read:

Line 3, strike out "the Interior" and insert "War."

Line 11, strike out "the Interior" and insert "War."

Mr. BABCOCK. Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman asks that the Committee of the Whole House on the state of the Union be discharged from the further consideration of this bill and that it be considered in the House as in Committee of the Whole. Without objection, this course will be pursued.

There was no objection.

The amendments recommended by the committee were agreed to.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

## QUESTION OF PERSONAL PRIVILEGE.

Mr. BABCOCK. Mr. Speaker, I rise to a question of personal privilege.

At a banquet given by representative citizens of the city of Washington on Saturday evening last I was asked to make a few remarks in reference to the District of Columbia, and while there were no reporters present I am quoted in the Post as saying:

A city should not be called upon to pay for extraordinary improvements from current revenues. I believe this niggardly policy is wrong, and that when the committee finally understands you justice will be done.

I want to say, Mr. Speaker, that this is not correct. I did not use the words ascribed to me, and while I might differ as to the general policy to be pursued by Congress toward the District with some of my colleagues, I should not presume to criticize their acts outside of the floor of this House. I want especially to disavow the use of the word "niggardly." What I did say was this:

That the city of Washington should not be called upon to pay for extraordinary improvements from current revenues. I do not think this a wise plan, and believe that when Congress fully understands the situation a more liberal policy will be pursued.

## MILITARY ACADEMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I move that the House now resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16970, being the appropriation for the Military Academy.

The SPEAKER. The gentleman from Iowa moves that the House now resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Military Academy bill.

The motion was agreed to. Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. BURKE of South Dakota in the chair.

The Clerk read the title to the bill.

Mr. HULL. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with and that we proceed to the reading of the bill under the five-minute rule.

Mr. HAY. I did not understand the gentleman from Iowa.

Mr. HULL. I simply asked unanimous consent that the first reading be dispensed with and that we proceed to the reading of the bill under the five-minute rule.

Mr. HAY. I know no one on this side who wishes time and I have no objection.

The CHAIRMAN. Is there objection to the request? [After a pause.] The Chair hears none.

The Clerk, proceeding with the reading of the bill, read as follows:

One saddler, \$180.

Mr. HEPBURN. Mr. Chairman, I want to ask the gentleman in charge of the bill one question. Perhaps it would have been a little more proper at the close of paragraph commencing with line 12, page 3. I want to ask how many officers of the Army are now detailed and on duty at West Point Military Academy?

Mr. HULL. If the gentleman will count them up in the bill he will find out. I have not really added them up. It is the number provided by law carried in this appropriation bill. The law provides that these professors shall have the difference between the pay of their rank and a certain higher rank while serving there. They are all provided for in the bill and the clerk can run them up in a few minutes.

Mr. HEPBURN. I was under the impression that there was a large number who are not there by reason of any law, except the general authority that they may be detailed. I have understood that there was a large number, a very large number, of officers now on detail at that post.

Mr. HULL. On examination I find that there are 25 provided for in this bill. I will say to the gentleman that there is one item on page 3 that is new and might have been subject to a point of order. I want to call attention to it now. It provides that the Secretary of War shall assign an officer as assistant professor of modern languages. It was found that it was impossible for one professor of modern languages to teach the classes reporting to him, and we gave authority in this bill for the detail of one more, but no others are detailed here unless by the authority of Congress.

Mr. HEPBURN. My impression is that the gentleman will find that the number of officers at that post is very largely in excess of the number he has mentioned.

Mr. HULL. There is a service detachment there that get no extra pay, of both the artillery and the cavalry and the infantry, and that the law provides for. They are not carried in this bill at all for extra pay. I will say to the gentleman that if he includes these officers it will be a much greater number than I have given; but there is a law providing that one detachment of cavalry, one of infantry, one of artillery, shall be detailed there and

called the Army service detachment, and they have the same number of officers that they have in the field. But Congress has passed on that question, and without opposition, Mr. Chairman, adopted a law requiring this detachment to be sent there for the benefit of the cadets.

The Clerk read as follows:

For extra pay of one enlisted man employed as watchman, at 35 cents per day, \$191.63.

Mr. GAINES of Tennessee. I should like to make an inquiry of the chairman of the committee [Mr. HULL]. Here are numerous items, "extra pay," "extra pay," "extra pay," all through this page, page 7, and a part of page 6. I should like to have the gentleman tell us why this "extra pay" is called for, and what necessity there is for having this extra work done, calling for extra pay. We should like to know why the regular salary or pay of the officer is not fixed.

Mr. HULL. These items do not refer to officers, but to privates.

Mr. GAINES of Tennessee. But why this extra work and extra pay?

Mr. HULL. If the gentleman will look through the bill he will find that these provisions for extra duty and extra pay go on for several pages further.

Mr. GAINES of Tennessee. Yes, sir; that is the reason I ask my question.

Mr. HULL. I can tell the gentleman briefly the reason. These men are printers and skilled mechanics, who are enlisted with the idea of their doing this work at this extra pay. If such men were not enlisted and carried on the rolls in this way we should have to hire civilians for this work and pay much higher wages than it now costs the Government by giving extra pay to the enlisted men.

Mr. GAINES of Tennessee. I understand the gentleman then to say that this has been the practice for years?

Mr. HULL. Yes.

Mr. GAINES of Tennessee. Why would it not be better to have some general statute providing for this work without having it carried in the appropriation bill under the head of "extra work" or "extra pay?"

Mr. HULL. If the appropriations were made here in a lump, as is the case with some other appropriation bills—for instance, the Naval Academy bill—we should simply provide for an expenditure of so much money as extra-duty pay. But for the last twenty years, or at least ever since the distribution of the appropriation bills among the various committees of the House, this form of bill, detailing these particular items, has been customary; this has been the usage year after year. In my judgment, it would be just as well that these detailed appropriations, running over several pages of the bill, should be dispensed with, and a lump appropriation made for a certain amount as extra-duty pay. But such has not been the custom. The present form of bill corresponds with the system of bookkeeping which has been adopted, and with the way the accounts have gone to the Treasury. There can be no confusion by continuing the system as it has been practiced for twenty years past.

Mr. GAINES of Tennessee. I find, for instance, in line 15, page 7, this provision:

For extra pay of two enlisted men employed as clerks in the office of the commandant of cadets, at 50 cents each per day, \$35.

This is a sample of many other items under the head of "extra pay." Now, is it customary when a man does this work that he should receive extra pay?

Mr. HULL. Oh, yes; the soldier receives extra pay in the line of the Army whenever he does extra work.

Mr. GAINES of Tennessee. Is not the salary of a private in the Army based upon the idea that he shall do whatever work he is called on to do without extra pay?

Mr. HULL. No. A soldier when first enlisted in the Army gets \$13 a month. Later, if his service is satisfactory, he may receive \$18 a month. This allows \$15 a month extra for clerical service, making the wages much less than would be paid for employing a civilian.

Mr. GAINES of Tennessee. So that when the soldier is engaged in actual war he receives no extra pay, but in time of peace he gets these additional allowances as extra pay?

Mr. HULL. So far as that is concerned, he may get extra pay in time of war as well as in time of peace. This kind of work is done all the year round.

The Clerk resumed and concluded the reading of the bill.

Mr. HULL. I move that the committee rise and report the bill to the House with a recommendation that it pass.

The motion was agreed to.

The committee accordingly rose; and Mr. BURKE of South Dakota reported that the Committee of the Whole on the state of the Union had had under consideration the Military Academy

appropriation bill, and had directed him to report the same back without amendment and with the recommendation that it pass.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. HULL, a motion to reconsider the last vote was laid on the table.

#### AMENDMENT OF BANKRUPTCY LAW.

The SPEAKER laid before the House the Senate amendments to the bill (H. R. 13679) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898.

The amendments were read.

Mr. JENKINS. I move concurrence in the amendments of the Senate.

Mr. McRAE. Mr. Speaker, I think this is quite an unusual action proposed, considering the importance of the bill, with so many amendments which we have never had in print. It seems to me that before we take up these amendments for consideration the bill ought to be printed in such a shape that we may be able to understand the effect of the amendments.

Mr. JENKINS. These amendments were all printed in the RECORD at least ten days ago.

Mr. McRAE. It is not practicable to take the records and tell what is finally agreed to. The custom of both Houses is to have a bill printed in document form and bill form, so that we have the full text before us.

Mr. JENKINS. I would like to say to the gentleman from Arkansas that there was no debate whatever in the Senate. The Senate adopted the report of the committee and the bill was published in full.

Mr. McRAE. I am pretty sure that the Clerk read some amendment that I could not follow in the print of the bill that was given to me.

Mr. JENKINS. What does the gentlemen suggest?

Mr. McRAE. That the bill be printed in bill form and go over until to-morrow, so that we may see what we are doing. I confess that I can not tell what changes are proposed in the bankrupt law.

Mr. JENKINS. I will frankly say to the gentleman that unless these amendments are concurred in, if we go to conference there will be considerable difficulty in the matter.

Mr. McRAE. And it is very important that we know what we are doing when we do act. We should not be called upon to agree to a lot of Senate amendments when we do not know what they are.

Mr. JENKINS. I would like to say to the gentleman—

Mr. RICHARDSON of Tennessee. Before the gentleman answers the gentleman from Arkansas further, I should like to ask, have these amendments been considered at all by the Judiciary Committee of the House?

Mr. JENKINS. Not as a committee, but every gentleman interested has gone over the ground fully and carefully, and there is an entire agreement that the amendments should be adopted. There is no material change. Every change that is made is beneficial and proper, I assure the gentleman.

Mr. McRAE. That is, in the judgment of the gentlemen who know about it, but there are a great many gentlemen here who have a right to know about it but who do not know about it.

Mr. JENKINS. In the judgment of the gentlemen who have carefully examined the bill and who are anxious that it should pass. I would say to the gentleman that there is strong pressure all over the country for the adoption of these amendments. They strengthen the bill and improve it in many particulars, and the changes made by the Senate are a decided improvement on the House bill.

Mr. McRAE. I understand that there is pressure from those who want to make the bankruptcy law a Federal collection law in order to use its machinery to crush out and oppress the merchants of the country; but we ought to act with caution when we undertake to place additional power and authority over bankrupts in the hands of the Federal judiciary, and at least we owe it to ourselves to know what we are doing.

Mr. JENKINS. These changes reduce that very largely; reduce the fees, limit the expenses, and matters of that kind.

Mr. McRAE. Then it is remarkable that the gentleman in charge of this bill, after having given that consideration to it, after having considered the subject for the time he did, should come back here with all these amendments of the Senate. It is remarkable that he should have omitted so many important matters from the bill and that the Senate has incorporated them into this bill, and that he should now ask the House to accept them without examination. I, for one, can not agree to it, and I hope that if the gentleman will not consent to have this bill printed and let us see what is in it, that the House will require him to do so by voting down his motion and let us take up and consider each amendment separately.

Mr. JENKINS. As I say to the gentleman, this bill has been printed in full in the RECORD, and we have allowed it to remain for about ten days, so that gentlemen might familiarize themselves with it if they desired to do so. The only thing we can do is to move concurrence or nonconcurrence and ask for a conference. I will say to the gentleman that I have just left a conference of gentlemen with reference to this matter, gentlemen who occupy the very same position that my friend from Arkansas does toward the bill, and they insist that these changes are material and beneficial, and that we ought to agree here if possible.

Mr. McRAE. What is the gentleman's motion, to concur?

Mr. JENKINS. I will say to the gentleman from Arkansas that my motion is to concur in the amendments of the Senate.

Mr. McRAE. That is, without any reference to the committee and without any conference. Now, I have no objection to referring these amendments to the Judiciary Committee, and if the Judiciary Committee report back to-morrow, or any day, unanimously that these amendments are beneficial, then we will have something upon which to stand.

Mr. JENKINS. Let me say to the gentleman that I know his views, and there is not a single amendment here but what the gentleman will agree to. I am satisfied of that.

Mr. McRAE. The gentleman is mistaken.

Mr. JENKINS. If this matter is referred it defeats the amendments and defeats the very object that the gentleman is contending for.

Mr. McRAE. No; I am not contending for this bill. I tell you I never saw a bankruptcy bill that I would vote for since I have been in Congress, and never read one enacted before that I believed beneficial. Instead of amendments, the law should be repealed. No; I do not believe in them, and I believe that the business men of the country want to have the law repealed.

Mr. JENKINS. We can not raise the question of repeal at this time. That question is removed. The question is whether we shall adopt these remedial amendments. It reduces the fees over half and limits the expense, and every Senate amendment is in harmony with the gentleman's line of thought.

Mr. McRAE. Mr. Chairman, I do not desire to bandy words with the gentleman, but I say this is an unusual request to make. This is a law that ought to be a temporary law, but is sought to be made a permanent one, is being used to-day by the commercial world, and is doing more harm and injury than good. Instead of wiping it off the statute books, the gentleman is seeking to extend it.

Mr. JENKINS. The gentleman is mistaken in that. It limits its operations and reduces the fees over one-half and limits the expense; and the amendments of the Senate are all remedial.

Mr. McRAE. It increases acts of bankruptcy.

Mr. JENKINS. No; the gentleman is mistaken.

Mr. McRAE. And amends a number of others.

Mr. JENKINS. It does not include a single new act. I have just left a conference with a gentleman who occupies the very same position that my friend from Arkansas does, who has always argued for the repeal, who has asked me as a personal favor to get these amendments agreed to as soon as possible. He states that as he can not get a repeal of the law he is more than satisfied with these amendments.

Mr. McRAE. Well, Mr. Speaker, I hope that the motion will not be agreed to. I am not prepared this morning to vote on these amendments.

Mr. JENKINS. I will say to the gentleman that I have no disposition, if I had the right, to railroad this measure through. It is not an unusual method to agree to Senate amendments. Several gentlemen interested in this measure have carefully gone over them for over a week. Every member of the Committee on the Judiciary is entirely familiar with each and every one of the amendments, and not a single gentleman on the committee has raised a single objection to the Senate amendments to the bill, and several gentlemen here, too, who think the law ought to be repealed.

Mr. McRAE. I yield to the gentleman from Missouri, who is a member of the committee.

Mr. DE ARMOND. Mr. Speaker, so far as I know this matter had no consideration whatever in the Committee on the Judiciary. I think the proper course is to refer it to that committee. I think that is the general course of procedure here when very many amendments have been made, especially to a bill which has passed in this body; it is referred again to the committee. This measure emanated from the Judiciary Committee and was passed upon there. This bill was passed in this House a long time ago. The fact that there may or may not be some delay in its consideration and disposition here certainly has nothing to do with the question of disposing of it in an orderly way and upon the merits. Whatever delay has occurred so far has occurred in the Senate and not here.

Now, I take it that my friend from Wisconsin will see it in the

same way, that the order's method of procedure and the correct method of procedure is to refer this bill with the pending amendments to the Committee on the Judiciary; let that committee report on them to the House, and the House dispose of them. For my part I have given them no consideration, and had no idea that an effort would be made to agree to them. After such a consideration I may be in favor of or I may not be in favor of the amendments; I do not know.

Mr. JENKINS. Will the gentleman allow me to ask him a question?

Mr. DE ARMOND. Certainly.

Mr. JENKINS. Does not the gentleman remember that I called his attention to this proposition, and told him I was considering these amendments in company with other gentlemen, and that my friend told me that he favored a repeal of the law and was absolutely opposed to all of its provisions? I only say that because the gentleman says that he was not informed of the fact that the question was before the committee.

Mr. DE ARMOND. I do not question the conversation since the gentleman suggests it took place.

Mr. JENKINS. I invited the gentleman to confer with us.

Mr. DE ARMOND. I do not recollect certainly any invitation to conference.

Mr. JENKINS. I simply said that we were considering the amendments. The gentleman from Massachusetts was with me looking over the matter, interested in it, because we thought we could not get along without that method of proceeding. But, Mr. Speaker, inasmuch as there is objection to concurring, I move that we now disagree to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Wisconsin withdraws his first motion and moves that the House disagree to the Senate amendments and ask for a conference.

Mr. DE ARMOND. Mr. Speaker, I wish to suggest to the gentleman from Wisconsin that a better method would be to have the bill referred to the committee, because the committee may agree to the amendment.

Mr. JENKINS. That would be a defeat of the bill. These amendments limit the expense and permit the matter of exemption to be determined by the laws of the State rather than by the laws of Congress.

Mr. DE ARMOND. The assumption that the reference to the committee defeats the bill I think is hardly warranted by the facts. It seems to me there is no ground for that assumption. There are certainly five weeks remaining of this session. But even if that were true, if the Senate held the bill for months, the compound reason for the two facts is not sufficient for putting it through in any but the usual way. If the House votes upon it, it votes in the dark.

Mr. UNDERWOOD. As I understand the amendments come from the Senate in this bill as passed by the Senate—

Mr. JENKINS. This is a House bill with Senate amendments.

Mr. UNDERWOOD. But the Senate amendments allowed the exemption to be determined by the State law rather than our law. As I understand the bill as it came back, and I think I am correct about the provision in the bill, provides that where a man was allowed to waive his exemption in the State he would not be allowed to go into the bankrupt court and claim them and thereby commit a fraud on the creditor, as he is doing now. I understand the Senate has stricken that provision out of the House bill and leaves it as the law is now, not as the committee intended to write the law, but as it has been construed, which allows the debtor to commit a fraud on his creditor.

Mr. RICHARDSON of Tennessee. Will the gentleman from Wisconsin indulge me a moment?

Mr. JENKINS. Certainly.

Mr. RICHARDSON of Tennessee. I can see very readily why the gentleman from Wisconsin, chairman of the Judiciary Committee, does not want the bill referred to the Judiciary Committee, because it will lose its privileged character when it is reported back. If it goes to conference of course it would be privileged; but it would cause more delay, I suggest, by sending it to conference rather than to the Judiciary Committee, if the Judiciary Committee will agree to the Senate amendments. I was going to suggest that if the gentleman would refer it with the amendments to the committee, with leave to report the bill, it would still retain its privileged character, and it might be they would concur in the Senate amendments, and if so, there would be no delay. I make the suggestion in order that the privileged character of the bill may be retained.

Mr. PAYNE. Mr. Speaker, would it not be better to let it all go over until to-morrow?

Mr. RICHARDSON of Tennessee. I would not object to that; but if referred to the Judiciary Committee with leave to report it any time, they can report it back to-morrow morning.

Mr. JENKINS. It could not be reported before Friday morn-

ing. But, Mr. Speaker, in order to meet the objection I will ask unanimous consent that this may go over until to-morrow and that the bill and amendments be printed in full in the RECORD.

Mr. MCRAE. Have it printed in bill form; it will not cost any more.

Mr. JENKINS. And that it be printed as a bill—in bill form.

Mr. LACEY. Mr. Speaker, I would like to ask the gentleman a question. The most important amendment to the law, as I remember it in the original bill, was that which modified the four months provision as to payments on account. Do the Senate amendments in any way change that provision as originally presented by the committee?

Mr. JENKINS. The bill will be printed to-morrow in the RECORD and the gentleman can see what that provision is.

The SPEAKER. The Chair will state that there is a rule coming up to-morrow giving the day to the matters presented by the Judiciary Committee.

Mr. JENKINS. Then, Mr. Speaker, I will say day after to-morrow.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the bill and amendments be printed in bill form and in the RECORD, and that the matter may be set down for consideration on Wednesday next. If there is no objection, this order will be made. The Chair hears none.

#### CORPORATIONS ENGAGED IN INTERSTATE COMMERCE.

Mr. OVERSTREET. Mr. Speaker, I desire to call up a report, and ask that members of the Judiciary Committee may file personal views if they desire any time during the present week. It is a report on House bill—

The SPEAKER. The report should go to the basket, unless the gentleman asks unanimous consent.

Mr. OVERSTREET. I ask unanimous consent in this connection that members of the Judiciary Committee may have during the present week to file personal views on this same measure. That will necessitate unanimous consent.

The SPEAKER. Will the gentleman send up the report?

Mr. OVERSTREET. I desire to ask further unanimous consent—

The SPEAKER. The Clerk will read the title of the bill accompanying this report.

The Clerk read as follows:

A bill requiring corporations engaged in interstate commerce to make returns, prohibiting rebates and discriminations to the use of interstate commerce in attempts to destroy competition, and for other purposes.

The SPEAKER. The gentleman from Indiana [Mr. OVERSTREET] in connection with this report asks unanimous consent that all members of the Judiciary Committee be allowed this week in which to file their individual views on the bill. If there be no objection this order will be made. The Chair hears no objection.

Mr. OVERSTREET. I desire also to ask unanimous consent that there be printed 5,000 copies of this report.

The SPEAKER. The gentleman makes the further request that there be printed for the use of members of the House 5,000 copies of the report. Is there objection to this request?

Mr. DE ARMOND. I suggest that the request embrace the views of such members as may file their views upon the bill. I judge there is no objection to that.

The SPEAKER. The Chair did not understand the gentleman from Missouri. Does he ask that the views of gentlemen filing their individual views be printed with this report?

Mr. DE ARMOND. Not that they be printed with the report, but that the same number of those views be printed.

The SPEAKER. The gentleman from Missouri adds to the request of the gentleman from Indiana the request that the individual views of the members of the Committee on the Judiciary be printed in equal number with the report; that is, that the order for 5,000 extra copies apply to the individual views of members as well as to the report of the committee.

Mr. McCLEARY. How are these to be distributed?

Mr. OVERSTREET. My request was simply that the report be printed in the usual way and distributed through the document room.

The SPEAKER. Is there objection to the request?

Mr. RICHARDSON of Tennessee. A parliamentary inquiry. I do not understand whether the request of the gentleman from Indiana includes the bill.

Mr. OVERSTREET. My proposition was that the substitute agreed upon by the majority of the Judiciary Committee be printed with the report—at the end of the report; that the substitute follow the report.

Mr. RICHARDSON of Tennessee. I was not aware of that fact. Then the distribution ought to take place through the folding room rather than the document room.

Mr. OVERSTREET. I have no personal objection to that.

But my experience is that it would meet the convenience of members better if distributed through the document room.

Mr. RICHARDSON of Tennessee. There is a desire on the part of a number of gentlemen to have these documents distributed through the folding room, and I think that is better.

Mr. OVERSTREET. I have no objection.

Mr. RICHARDSON of Tennessee. The usual number will go to the files at any rate.

The SPEAKER. Does the gentleman from Tennessee make that request?

Mr. RICHARDSON of Tennessee. I do, unless the gentleman from Indiana includes it with his request.

The SPEAKER. The Chair will restate the request as he now understands it. It is that 5,000 copies of this report be printed for the use of the members of the House, and that a corresponding number of the views of the members of the Judiciary Committee, which they will have this week to submit, be printed and distributed to members through the folding room. Has the Chair correctly stated the request?

Mr. MANN. I hope there will be included in the request a provision for the printing of an equal number of the bill as amended—not merely attached to the report, but in bill form. Nearly everybody who makes a request in this matter asks for the bill.

The SPEAKER. The Chair will first dispose of the requests already made. Is there objection to the request just stated by the Chair? The Chair hears none. The request of the gentleman from Illinois [Mr. MANN] will now be repeated.

Mr. MANN. I ask unanimous consent that 5,000 copies of the bill, as now reported, be printed in bill form, instead of the usual number.

The SPEAKER. The gentleman from Illinois asks unanimous consent that 5,000 copies, instead of the usual number, of this bill be printed in bill form for the use of members, to be distributed through the folding room?

Mr. MANN. That is immaterial to me. I think the document room would be better.

The SPEAKER. Then there is no request on that point. The Chair hears no objection to the request of the gentleman from Illinois, and it is so ordered.

#### DEEDS, ETC., IN INDIAN TERRITORY.

The SPEAKER. The Chair lays before the House the bill (S. 5678) providing for record of deeds and other conveyances and instruments of writing in the Indian Territory, and for other purposes. On this bill the Senate has disagreed to the amendments of the House, and requests a conference.

Mr. CURTIS. I move that the House insist on its amendments and agree to the conference asked by the Senate.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. SHERMAN, Mr. LACEY, and Mr. LITTLE as conferees on the part of the House.

#### F. M. VOWELLS.

The SPEAKER laid before the House, with an amendment of the Senate, the bill (H. R. 1592) for the relief of F. M. Vowells.

Mr. CAPRON. I move that the House concur in the amendment of the Senate.

The motion was agreed to.

#### TERMS OF COURT IN THE DISTRICT OF UTAH.

The SPEAKER laid before the House the bill (S. 149) to provide for holding terms of court in the district of Utah, with sundry House amendments thereto disagreed to by the Senate, and a conference asked for.

On motion of Mr. JENKINS, the House insisted upon its amendments and agreed to the conference asked for by the Senate; and the Speaker announced as conferees on the part of the House Mr. JENKINS, Mr. PARKER, and Mr. DE ARMOND.

#### INDIAN APPROPRIATION BILL.

On motion of Mr. CURTIS, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15804) making appropriations for the current and contingent expenses of the Indian Department for the fiscal year ending June 30, 1904, and for other purposes, with Mr. GROSVENOR in the chair.

Mr. CURTIS. I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. CURTIS. If possible, I should like to obtain an agreement with the gentleman on the other side as to the time that shall be occupied in general debate.

Mr. LITTLE. What time would the gentleman suggest?

Mr. CURTIS. I should suggest an hour and a half on a side.

Mr. LITTLE. I think that is satisfactory.

Mr. CURTIS. Then I ask unanimous consent that general debate be limited to three hours, one hour and a half to be controlled by the gentleman from Arkansas—

Mr. BURTON. I desire to know who is to control the time on the respective sides. I have some desire to be heard on this bill, and not being a member of the committee I would not be entitled to time from either side.

Mr. CURTIS. I suggest that the time be controlled by the gentleman from Arkansas on the Democratic side, and by the chairman of the committee [Mr. SHERMAN] on this side, and in the absence of the gentleman from New York [Mr. SHERMAN] I will yield one hour to the gentleman from Ohio, if he desires that much time.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that general debate on the pending bill be limited to three hours, one-half to be controlled by the gentleman from Arkansas [Mr. LITTLE], one-half by the gentleman from New York [Mr. SHERMAN] when he shall return, and in the meantime a private arrangement has been made in regard to the gentleman from Ohio [Mr. BURTON] having time. Is there objection?

There was no objection.

Mr. CURTIS. Now, Mr. Chairman, I yield one hour to the gentleman from Ohio [Mr. BURTON].

The CHAIRMAN. The gentleman from Ohio is recognized for one hour.

Mr. BURTON. Mr. Chairman, to many members of the House this Indian appropriation bill is like a sealed book. Every year it passes after very brief discussion and with little consideration of its numerous items. There is a vague impression, both in the House and in the country, that it is full of objectionable items, and is characterized by waste and extravagance. With a desire to inform myself upon this subject I have made some study of Indian reports and the history of our Indian policy. I approach this subject without any bias and as the representative of a constituency having no interest in the subject except to secure just and proper treatment for the Indians and the judicious appropriation and expenditure of public moneys.

There are many things in the bill which to a superficial observer seem worthy of attention, especially the very large expenditures.

The total amount recommended in the pending bill for the year 1904 is \$7,715,930.52. To this, however, must be added certain permanent or indefinite annual appropriations which are also a charge upon the Treasury, as follows: (1) Principal and interest of trust funds, \$2,000,000; (2) proceeds of pasturage, labor, etc., act of March 5, 1883, \$800,000; (3) civilization of the Sioux, \$50,000; total permanent annual appropriations, \$2,850,000; total expenditures for Indians for 1904, \$10,565,930.52. As contrasted with this amount, the total expenditure of the Indian Department from 1789 to 1831, a period of forty-two years, was \$9,055,512.11.

Although this smaller amount of money was expended from 1789 to 1831, it was a period in which many treaties were made with the Indians, and vast areas, great as an empire, were surrendered to the Government. The line of settlement was constantly pushing westward, to the exclusion of Indians in the great States of the Middle West. Our attention must certainly be attracted, not only to the large amounts to be expended, but also to the wearisome iteration of the appropriations, "For support and civilization," "for education and civilization," which have occurred in this bill for many years, and which distribute money by thousands, tens of thousands, and hundreds of thousands of dollars to the various Indian tribes.

It is no exaggeration to say that this bill contains appropriations for schools which afford the pupils comforts and conveniences, not only far beyond those enjoyed by white students in colleges, but of a quality enjoyed only by a favored few. The non-reservation schools are being provided with electric lighting, cold storage, water supply, and ice plants, also hospitals and lavatories, as well as expensive dining rooms and kitchens, etc. Notwithstanding it is claimed that the purpose and object of Indian education is to teach industrial habits, schools are fitted with steam laundry plants, where the work is done by machinery rather than by hand.

I want to say at the outset that, while I shall make criticisms of the Committee on Indian Affairs and the Indian Department, I do not think the blame lies at their door. I believe that the present Committee on Indian Affairs of the House during the last seven years, under the leadership of its chairman and the gentleman from Kansas [Mr. CURTIS], has inaugurated more reforms than were instituted in the twenty years preceding. I believe that the present Commissioner of Indian Affairs, during the five years of his incumbency in the office, has developed a grasp of the situation and has proposed reforms of abuses which entitle him to our highest commendation. That for which criticism is most deserved is the inertia of the Department and of Congress; their slowness in making changes to meet changed conditions. Our

policy is like the management of a ship sailed in accordance with the rule that no barnacles shall ever be removed from it. A critical examination of this bill will disclose that it almost exactly follows the estimates which came from the Interior Department. So that the Committee on Indian Affairs merely performed a sort of clerical service in shaping this bill.

In one of the numerous conferences of friends of the Indians the Commissioner of Indian Affairs criticised many items of expense incurred in furtherance of our Indian policy. The gentleman from New York [Mr. SHERMAN] following him called his attention to the fact that notwithstanding his attacks upon these items he had recently sent in estimates recommending over \$4,000,000 for the very objects which he criticised. What is the origin of these large expenses? They are in a great measure an inheritance from the past. The century before the last our Government commenced to make treaties granting annuities to the Indian tribes, some of which were perpetual. From that time to this very large allowances have been made for their lands, and the amounts have been invested for the Indians or deposited in the Treasury with the provision that annual interest shall be paid to them. We often think when we are considering the action of our forefathers in legislation that they acted hastily or injudiciously.

A more careful examination will almost always show that there were existing reasons which, in view of conditions at the time, were considered valid. Among these reasons I would mention, first, a desire for tranquillity. It was desired that the pioneer settler might be free from constant danger from marauding Indians; that his home might be one of peace rather than of war and strife. So, beginning about 1790, largesses and presents were given to the Indians, and very considerable payments were made for cessions of land. It was thought desirable to bring to an end the warfare with the Cherokees and the Creeks, and to obtain peace, even if it must be purchased. At a later period it occurred to the authorities that rather than to be continually fighting the Apaches and Comanches, or sending military forces for their suppression, a cessation of their attacks must be secured and peace maintained by taking upon ourselves the burden of their support.

The second reason which I would mention was the very natural failure to foresee the unprecedented growth of this country. It may be surprising to some to know that after the Louisiana purchase in 1804 the proposition was gravely considered of dividing this country in half, retaining for the white race all that portion east of the Mississippi River and abandoning that west of it to the red man. In the year 1851, a much more recent date, a treaty was made with the Sioux by which a tract containing 110,000 square miles was reserved for them, including the best part of the State of Colorado, and some of the best portions of Kansas, Nebraska, and the Dakotas. A third reason may be found in those sentiments of humanity and fair play which are characteristic of the American people. These sentiments, aroused by accusations of injustice and influenced by the projects of impracticable philanthropists, have led us into many excesses and absurdities.

I most confidently deny that our policy toward the Indian has been one of injustice or wrong. It has been styled a "century of dishonor." It does not deserve the name, and that appellation is not true. No doubt there have been serious mistakes. There have been wavering and vacillating methods, but year by year, notwithstanding the barbarity and savagery which the Indian has often manifested, notwithstanding the massacres of hundreds of women and children, notwithstanding the implacable hatred of many of the Indian tribes, there is one thing that appears plain—a disposition to do justice to the red man. We may have sometimes acted under the impulse of excitement or sudden anger, but the general policy of this country has been far more just to these wandering tribes than that of any other nation on the globe toward peoples less civilized than they.

We can challenge comparison in this particular and assert with confidence that no government similarly circumstanced has ever shown a policy so just, so humane, so generous, as has been that of the United States Government toward the Indian tribes.

I will ask attention in proof of this to some statutes and treaties, and to quotations from the messages of Presidents. On the 30th of March, 1802, an act was passed directing that friendly Indians should be furnished with useful domestic animals and implements of husbandry, and with goods and money. At the beginning of the last century almost every treaty provided for the maintenance among the Indians of blacksmiths, farmers, and other helpers, in order to provide for their wants and instruct them in the care of their guns and agricultural implements and to instruct them in farming. On the 3d of March, 1819, an annual appropriation of \$10,000 was made for the purpose of providing against the further decline and final extinction of the Indian tribes adjoining the frontier settlements of the United States, and for introducing among them the habits of civilization.

The act further states:

The President is authorized to employ capable persons of good moral character to instruct them in agriculture suitable to their station, and for teaching their children reading, writing, and arithmetic.

To protect the Indians against the dishonesty of private traders, President Washington several times recommended the establishment of Government trading houses to deal directly with the Indians, and to purchase their furs and other articles which they desired to sell. This recommendation was adopted by the act of April 18, 1796, and for twenty-six years, or until the 6th of May, 1822, this policy was continued. It was continued at a very large expense, Congress appropriating a hundred thousand dollars at one time and a hundred and fifty thousand dollars at another, and that, too, at a time when money was not so plentiful in the national exchequer as it now is.

On the 9th of January, 1837, an act was passed providing that the proceeds of Indian lands should be invested and annual interest paid the Indians. It was required that no investment of such money or any portion thereof should draw interest at a lower rate than 5 per cent per annum. Recently these amounts have been retained in the Treasury and interest at 5 per cent paid by the Government. This act is still in force as section 2096 of the Revised Statutes. This rate of 5 per cent is paid, notwithstanding the fact that Government bonds which draw 2 per cent are at a premium, and there are no reliable savings banks in our largest States which pay more than 4 per cent.

The act of June 12, 1834, contains two provisions in which the rights of the Indians against the white race were sustained with the utmost severity. There is nothing on our statute books which so notably discriminates against the white race. This is the first provision:

Whenever, in the commission, by a white person, of any crime, offense, or misdemeanor within the Indian country, the property of any friendly Indian is taken, injured, or destroyed and a conviction is had for such crime, offense, or misdemeanor, the person so convicted shall be sentenced to pay to such friendly Indian to whom the property may belong or whose person may be injured a sum equal to twice the just value of the property so taken, injured, or destroyed.

This statute is still in force as section 2154 of the Revised Statutes, and there is a further provision to the effect that when wrong is done to a friendly Indian and the convicted wrongdoer can not pay the penalty, an amount equivalent to the injury done shall be paid out of the Treasury of the United States.

Mr. CURTIS. Does the gentleman from Ohio know of any dollar of money that can be paid under that statute?

Mr. BURTON. Perhaps not.

Mr. CURTIS. Not one.

Mr. BURTON. But Congress has certainly done its duty.

Then there is another statute, passed at the same time, which has been in force for nearly seventy years, providing that in all trials about the right to property, in which an Indian may be a party on one side and a white person on the other, the burden of proof shall rest upon the white person whenever an Indian shall make out a presumption of title in himself from the fact of previous possession or ownership. This is the only law I can recall which modifies the law of evidence for the benefit of any race or class in the United States.

The act of April 10, 1869, Revised Statutes, section 2039, provides that there shall be a board of Indian commissioners composed of not more than ten members, appointed by the President solely from men eminent for intelligence and philanthropy, and who shall serve without pecuniary compensation. This board shall supervise all expenditures for the benefit of the Indians and shall inspect all goods purchased for Indians. This statute, adopted at the very beginning of the Administration of President Grant, indicated a purpose to place the interests of the Indians in the hands of those who would treat them not only with fairness, but with the greatest benevolence. From that time to this men of the highest character have been appointed upon this commission. It may well be questioned whether the policies recommended by them have not been in the line of undue generosity and assistance to the red man.

President Washington, in his third annual message, October 25, 1791, in speaking of the relations of the United States to the Indians, says:

Among the most important of these is the defense and security of the Western frontiers. To accomplish it on the most humane principles was a primary wish.

After speaking of the making of treaties with well-disposed tribes of Indians, he stated:

Effectual measures have been adopted to make those of a hostile description sensible that a pacification was desired upon terms of moderation and justice. \* \* \*

It is sincerely to be desired that all need of coercion in future may cease and that an intimate intercourse may succeed, calculated to advance the happiness of the Indians and to attach them firmly to the United States.

In order to do this it seems necessary that they should experience the benefits of an impartial dispensation of justice. That the mode of alienating their lands, the main source of discontent and war, should be so defined and

regulated as to obviate imposition and as far as may be practicable controversy concerning the reality and extent of the alienations which are made.

That commerce with them should be promoted under regulations tending to secure an equitable deportment toward them, and that such rational experiments should be made for imparting to them the blessings of civilization as may from time to time suit their condition. \* \* \*

A system corresponding with the mild principles of religion and philanthropy toward an unenlightened race of men, whose happiness materially depends on the conduct of the United States, would be as honorable to the national character as conformable to the dictates of sound policy.

President Madison in his last annual message, dated December 3, 1816, says, calling attention to the existence of conflicting titles of different Indian tribes, which was a serious source of difficulty:

In some instances the titles, though not supported by due proof and clashing those of one tribe with the claims of another, have been extinguished by double purchases, the benevolent policy of the United States preferring the augmented expense to the hazard of doing injustice or to the enforcement of justice against a feeble and untutored people by means involving or threatening an effusion of blood. I am happy to add that the tranquillity which has been restored among the tribes themselves as well as between them and our own population will favor the resumption of the work of civilization, which has made an encouraging progress among some tribes, and that the facility is increasing for extending that divided and individual ownership, which exists now in movable property only, to the soil itself, and of thus establishing in the culture and improvement of it the true foundation for a transit from the habits of the savage to the arts and comforts of social life.

In the line of what the gentleman from Kansas [Mr. CURTIS] has suggested by his question, I do not deny that in many portions of the country the sentiment is such that it is very hard for Indians to obtain justice. A military officer told me a few evenings since of an instance in which a cowboy fired his pistol with the reckless idea of firing through the top of the tall hat of an Indian; but his aim was unsteady and the ball grazed the Indian's head. As a result he was paralyzed and died. The chief of the tribe to which the Indian thus killed had belonged in retaliation set fire to the little hut of the cowboy, inflicting damage to the extent of some fifteen or twenty dollars. A trial was asked. The Indian was sentenced for five years, while the cowboy went free.

Such an instance as this is a reproach on the administration of justice upon the border. But the question arises whether, if the numerous privileges and favors which like a network surround the Indian were removed, would not the disposition of those people, whom I can not suspect of studied and continued injustice, be to do justice to all men alike, whether white or red?

I do not stand here as an apologist for the retaliation and outrages which have been visited upon the Indian; but when the great balance sheet is drawn up it will appear that the wrongs have been far greater and the aggressions more numerous, the cruelties committed more frequent, on the part of the Indian than on the part of the white man. The difficulty has been that the Indian has sometimes been held at arm's length, as it were, from the body of the people and compelled to deal with the Indian agent—not always a very honest man—with the border man, or the cowboy, some of whom have sought to plunder him and have made free to appropriate to themselves whatever they could obtain by force or by fraud.

The immense quantities of land reserved for these Indians must attract our attention. One hundred and eighteen thousand square miles are now set apart for them in reservations—an area about three times as large as the State of Ohio. Much of this is arid land; much of it is fit for grazing only. On the other hand, many large tracts are to be numbered among the very best lands in the United States. Under the treaties made with the Choctaws, the Creeks, and the Cherokees, by which they were to be located in the Indian Territory, they were apportioned land to the amount of approximately 1,000 acres apiece. Fifteen thousand Choctaws received 15,000,000 acres, and other smaller tribes received a still larger per capita apportionment. It may be said of these lands that they are now a garden spot, equal in fertility to any lands in the United States.

It is frequently asserted that the nations which discovered this continent recognized that the title to the land belonged to the occupying tribes. It would be difficult, however, to find in the exchequer accounts of Spain, England, or France a single instance in which money was paid out for the purchase of Indian lands. They were given presents and a great deal of tinsel was bestowed upon them, but it is evident that this was done to promote good feeling rather than as a recognition that any compensation was due. Mr. Parkman, in his work, *The Pioneers of France*, to illustrate the disposition of the Spaniards toward the Indians in the first century after the discovery of America, quotes an address of Dr. Pedro de Santander to the King, in 1557, as follows:

It is lawful that Your Majesty, like a good shepherd, appointed by the hand of the Eternal Father, should tend and lead out your sheep, since the Holy Spirit has shown spreading pastures whereon are feeding lost sheep, which have been snatched away by the dragon, the demon. These pastures are the New World, wherein is comprised Florida, now in possession of the demon; and here he makes himself adored and revered. This is the land of promise possessed by idolaters, the Amorite, Amelekite, Moabite, Canaanite. This is the land promised by the Eternal Father to the faithful, since we are commanded by God in the Holy Scriptures to take it from them, being idolaters, and, by reason of their idolatry and sin, to put them all to the knife, leaving

no living thing save maidens and children, their cities robbed and sacked, their walls and houses leveled to the earth.

It would appear that Spain at no time admitted the existence of any title in the Indians. Mexico has maintained the same position with reference to those located in the territory acquired from that country. In some remarks made by the gentleman from Utah [Mr. SUTHERLAND] last winter, it was clearly set forth that in New Mexico, Arizona, and Utah the United States, succeeding to the title of the Mexicans, could claim absolute ownership of the lands occupied by the different tribes, because, under well-established rules of international law, the conquering country, or that which receives a cession, obtains the same kind of title as its predecessor.

The French showed greater adroitness than either the Spanish or the English in dealing with the Indians, but they do not seem to have recognized any obligation to purchase their lands.

While there are shadowy indications of an acknowledgment by the English of some sort of title in the Indian tribes, there was no distinct admission of it. Grants were made of vast areas without mention of any subordinate titles to be extinguished or acquired by the grantees.

King Charles the Second made over to his cousin, Prince Rupert, the vast expanse known as Rupert's Land, afterwards Hudson Bay Territory. William Penn bargained with the Indians for the lands granted to him by King Charles the Second, but it does not seem to have been considered either that this was necessary, or that he acquired any additional right by so doing.

The early charters and patents from the English Kings enjoined upon the settlers the necessity of converting the savages and bringing them to a knowledge of the gospel, but this was the principal injunction in the formal documents which gave title. It is true that in 1629 the governor of the Massachusetts Bay Company, living in England, wrote to Endicott, the resident officer in Massachusetts:

If any of the salvages [savages] pretend right of inheritance to all or any part of the lands in our patent, endeavor to purchase their title, that we may avoid the least scruple of intrusion.

Chief Justice Marshall in one of his decisions says:

The potentates of the Old World found no difficulty in convincing themselves that they made ample compensation to the inhabitants of the new by bestowing upon them civilization and Christianity.

The problem was very much modified by early conditions. Many of the adventurers who came to this continent brought no families with them and were almost as roving and unsettled as the Indians themselves. Their commercial transactions consisted for the most part in the purchase of furs. Then, too, there were unoccupied tracts of considerable size available for settlement, concerning which no question of the Indian right of occupancy could arise.

The colonists would seem to have been the first to recognize the principle that an Indian title existed which must be acquired. This principle was followed after the formation of the Federal Government. Two rules were firmly established: First, that no Indian tribe had a right to sell its lands to any foreign nation, or to any individual; a cession could only be made to the Government of the United States; second, that a right of occupancy existed in the Indians, which must be obtained by treaty or by conquest.

The early treaties were in some respects similar to those entered into between nations, though the Indians acknowledged themselves to be under the protection of the United States. Considerable cessions of territory were made without any considerable compensation. These engagements recognized that the boundaries of the Indian claims were uncertain and the limits of their possessions were restricted. In later treaties compensation was given in the form of annuities, immediate cash payments, or agreements for assistance in the way of education, or otherwise. It was often recognized that there was confusion between different Indian tribes as regards ownership. Later still the compensation was very materially increased. Part of the payments made for these titles is represented by trust funds held for the Indians in the Treasury, now amounting to over \$35,000,000.

It should be stated that, by a statute of March 3, 1871, treaties were abolished, and it was provided that in the future agreements should be made with the Indians, to be thereafter ratified by Congress. This statute removed an incongruity, because therefore we had treated with those over whom we had assumed guardianship as if they were independent.

It may well be questioned whether the measure of value which the Indian should receive for his land is the value for agriculture or for civilized occupation, when we take into account that he showed no disposition to use it except to hunt or fish upon it. Doubtless, there was a considerable degree of compulsion in some of these treaties or agreements for the acquisition of land. How could this be avoided? To admit that absolute consent must be obtained before we could occupy portions of this country would sanction a rule under which it would have been necessary for the early settlers of Massachusetts and Virginia to have stayed away

and left this continent for all time in the possession of wandering tribes. It would lead to the conclusion that civilization can not exclude barbarism from any part of the earth.

I desire to point out at this time the three distinctive errors of the Indian system, and on this subject I will ask the Clerk to read from the report of the Indian Commissioner for the year 1901, from page 1, beginning with the words "Well-meant mistakes," down to the words "Throwing the Indian on his own resources," on page 4.

The Clerk read as follows:

#### WELL-MEANT MISTAKES.

In the last annual report some attention was given to the obstacles in the way of the Indian toward independence and self-support, and three of the most important were pointed out and made the subject of discussion. It was shown that the indiscriminate issue of rations was an effectual barrier to civilization; that the periodical distribution of large sums of money was demoralizing in the extreme, and that the general leasing of allotments instead of benefiting the Indians, as originally intended, only contributed to their demoralization.

Further observation and reflection leads to the unwelcome conviction that another obstacle may be added to these already named, and that is education. It is to be distinctly understood that it is not meant by this to condemn education in the abstract—far from it; its advantages are too many and too apparent to need any demonstration here.

Neither is it meant as a criticism upon the conduct or management of any particular school or schools now in operation. What is meant is that the present Indian educational system, taken as a whole, is not calculated to produce the results so earnestly claimed for it and so hopefully anticipated when it was begun.

No doubt this idea will be received with some surprise, and expressions of dissent will doubtless spring at once to the lips of many of those engaged or interested in Indian work. Nevertheless, a brief view of the plan in vogue will, it is believed, convince the most skeptical that the idea is correct.

There are in operation at the present time 113 boarding schools, with an average attendance of something over 16,000 pupils, ranging from 5 to 21 years old. These pupils are gathered from the cabin, the wickiup, and the tepee. Partly by cajolery and partly by threats, partly by bribery and partly by fraud, partly by persuasion and partly by force, they are induced to leave their homes and their kindred to enter these schools and take upon themselves the outward semblance of civilized life. They are chosen not on account of any particular merit of their own, not by reason of mental fitness, but solely because they have Indian blood in their veins. Without regard to their worldly condition, without any previous training, without any preparation whatever, they are transported to the schools—sometimes thousands of miles away—without the slightest expense or trouble to themselves or their people.

The Indian youth finds himself at once, as if by magic, translated from a state of poverty to one of affluence. He is well fed and clothed and lodged. Books and all the accessories of learning are given him and teachers provided to instruct him. He is educated in the industrial arts on the one hand, and not only in the rudiments but in the liberal arts on the other. Beyond "the three R's" he is instructed in geography, grammar, and history; he is taught drawing, algebra and geometry, music, and astronomy, and receives lessons in physiology, botany, and entomology. Matrons wait on him while he is well and physicians and nurses attend him when he is sick. A steam laundry does his washing and the latest modern appliances do his cooking. A library affords him relaxation for his leisure hours, athletic sports and the gymnasium furnish him exercise and recreation, while music entertains him in the evening. He has hot and cold baths and steam heat and electric light and all the modern conveniences. All of the necessities of life are given him and many of the luxuries. All of this without money and without price or the contribution of a single effort of his own or of his people. His wants are all supplied almost for the wish. The child of the wigwam becomes a modern Aladdin, who has only to rub the Government lamp to gratify his desires.

Here he remains until his education is finished, when he is returned to his home—which by contrast must seem squalid indeed—to the parents whom his education must make it difficult to honor, and left to make his way against the ignorance and bigotry of his tribe. Is it any wonder he fails? Is it surprising if he lapses into barbarism? Not having earned his education, it is not appreciated; having made no sacrifice to obtain it, it is not valued. It is looked upon as a right and not as a privilege; it is accepted as a favor to the Government and not to the recipient, and the almost inevitable tendency is to encourage dependence, foster pride, and create a spirit of arrogance and selfishness. The testimony on this point of those closely connected with the Indian employees of the service would, it is believed, be interesting.

It is not denied that some good flows from this system. It would be singular if there did not after all the effort that has been made and the money that has been lavished.

In the last twenty years fully \$45,000,000 have been spent by the Government alone for the education of Indian pupils, and it is a liberal estimate to put the number of those so educated at not over 20,000. If the present rate is continued for another twenty years it will take over \$70,000,000 more.

But while it is not denied that the system has produced some good results, it is seriously questioned whether it is calculated to accomplish the great end in view, which is not so much the education of the individual as the lifting up of the race.

It is contended, and with reason, that with the same effort and much less expenditure applied locally or to the family circle far greater and much more beneficial results could have been obtained and the tribes would have been in a much more advanced stage of civilization than at present.

On the other hand it is said that the stream of returning pupils carries with it the refining influence of the schools and operates to elevate the people. Doubtless this is true of individual cases and it may have some faint influence on the tribes. But will it ever sufficiently leaven the entire mass? It is doubtful. It may be possible in time to purify a fountain by cleansing its turbid waters as they pour forth and then returning them to their original source. But experience is against it. For centuries pure fresh-water streams have poured their floods into the Great Salt Lake, and its waters are salt still.

What, then, shall be done? And this inquiry brings into prominence at once the whole Indian question.

It may be well first to take a glance at what has been done. For about a generation the Government has been taking a very active interest in the welfare of the Indian. In that time he has been located on reservations and fed and clothed; he has been supplied lavishly with utensils and means to earn his living, with materials for his dwelling and articles to furnish it; his children have been educated and money has been paid him; farmers and mechanics have been supplied him, and he has received aid in a multitude of different ways. In the last thirty-three years over \$240,000,000 have been spent upon an Indian population not exceeding 180,000, enough, if equitably divided, to build each one a house suitable to his condition and furnish it

throughout, to fence his land and build him a barn, to buy him a wagon and team and harness, to furnish him plows and the other implements necessary to cultivate the ground, and to give him something besides to embellish and beautify his home. It is not pretended that this amount is exact, but it is sufficiently so for the purposes of this discussion.

What is his condition to-day? He is still on his reservation; he is still being fed; his children are still being educated and money is still being paid him; he is still dependent upon the Government for existence; mechanics wait on him and farmers still aid him; he is little, if any, nearer the goal of independence than he was thirty years ago, and if the present policy is continued he will get little, if any, nearer in thirty years to come. It is not denied that under this, as under the school system, there has been some progress, but it has not been commensurate with the money spent and effort made.

First, the ration system. The Commissioner of Indian Affairs, in his report for 1901, says:

It would seem rather a sad commentary on the ration system to see Indians driving into the agency regularly in buggies and carriages to receive a gratuitous distribution of supplies from an indulgent Government "to keep them from starving."

In a report filed in this House as Document No. 391 of the Fifty-seventh Congress, first session, it was shown that a tribe of Sioux Indians having 20,000 cattle, of which they sold annually to the United States 1,500 to be slaughtered on the reservation and distributed among themselves, had been receiving rations under a provision in a treaty of 1876, promising them a certain prescribed ration, to be continued until they were able to support themselves. The cattle they sold realized for them over \$50,000 and they themselves ate them. They had also nearly 10,000 horses and a considerable number of sheep and of other stock.

It also appeared that most of those drawing a salary from the Government, the number of whom was about 150 on the reservation, receiving salaries from \$840 down to \$120, together with employees in the schools on the reservation, drew rations.

It is a mistake to suppose that by constantly pampering and coddling we can lift these Indians up to a status of civilized life. No nation ever achieved liberty unless it was willing to fight for it, and no nation or tribe ever gained civilization unless it was willing, by patient industry, to carve out for itself a future.

I would not say that the infirm and those who are unable to earn a living should be denied a ration. If we will, we might treat them all as our wards and save them from destitution and starvation; but let not our policy be one that builds up and perpetuates a system the main characteristic of which is the prevalence of idleness and which, in the long run, is the very worst thing for the Indian himself.

It is far from my intention in making these remarks to dwell upon the pecuniary problem alone. I am not arguing to save the Treasury so much as for a judicious and rational policy toward these people. The policy as at present managed injures them more than it injures anyone else. If they are able to work, let them work; let us begin with the preliminary lesson, that they can not depend upon us for that which they do not deserve; but that we intend to throw them upon their own resources, upon the principle that if a man does not work neither shall he eat.

I come next to the reservation system. That has been a serious injury, not only to the progress of the Indian, but to that of the United States.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. BURTON. Certainly.

Mr. LITTLE. I desire to ask if the gentleman has overlooked the present policy of the Department of Indian Affairs on the ration question, because we have now in force a policy that does not give rations to the Indians who are able to work, and compelling them to work for a living, and from the report of the Commissioner it will be found that from 12,000 to 15,000 have already been taken from the ration supply.

Mr. BURTON. I am very glad to hear the statement made.

Mr. LITTLE. The Commissioner of Indian Affairs states that if the policy is continued it has great promise of affording relief from the ration system.

Mr. BURTON. The statistics do not seem to prove that this new departure has been carried as far as it ought to be carried. The reports show that in numerous instances where tribes have wealth, where they receive large annuities, they are continuing to receive their regular rations from the Government.

Mr. LITTLE. I am not prepared to dispute the proposition that it has not been carried far enough, but in his last annual report the Commissioner makes this statement:

As a first result over 12,000 have been dropped from the ration roll, being wholly self-supporting. As a second result a large number of Indians have been put to work, or work has been found for them.

Then he goes on and gives statements of agents in respect to that work. I think it is a desirable plan. I think it ought to be pushed. I think it is not only fair and just and humane to the Indian, but is also of benefit to the Government.

Mr. BURTON. Now, as to the reservation system. These immense areas are a barrier to the progress of the United States, and that of the Indians as well. In the first place they promote nomadic habits. The instant that you give to a thousand persons

2,000,000 acres what would they do? Is it an incitement to agriculture and the peaceful methods of industrial life? No. It is the very ground for a continuance of a disposition to live by hunting and by fishing. Then, again, the Indian is forbidden the privilege of going off his reservation, and the white man is forbidden to go on it. This keeps him out of contact with the march of civilized life. It is said that the reservations are in remote corners of the country. There are no remote corners in the United States.

There is no locality across which the pathway of civilization does not lie. Everywhere roads should be constructed and development begun. Great progress has been made in promoting the allotment of lands to the Indians, and I think the present Committee on Indian Affairs should be commended. I include not only the two gentlemen I have named, but all other members on the committee. I trust that more will be done along this line, but it seems to me the system can still be criticised, because the Department clings too closely to the old ideas of immense reservations and tribal organizations.

Mr. STEPHENS of Texas. Will the gentleman yield for a question?

Mr. BURTON. Certainly.

Mr. STEPHENS of Texas. Does not the gentleman think it would be wise and advisable to open all Indian reservations to the miners of the country so that they can go on the reservations and locate the mines and develop them? At the present time they are locked up.

Mr. BURTON. I would say that the utmost care should be taken to be just to the Indians and also to be just to the whole people, so that no particular locality or individual will gain an undue share of the advantage to be derived from these mining properties.

Mr. STEPHENS of Texas. Does not the gentleman think it would be impossible to take advantage of the Indians if the land were opened up under the United States mining laws, which have been well guarded and are the result of a century of legislation?

Mr. BURTON. I believe in anything that opens up these reservations of the Indians to civilization. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has ten minutes remaining. Mr. BURTON. Now, Mr. Chairman, I desire to speak in regard to the school system. "We must educate," said Horace Mann; "We must educate." Anything in the line of education appeals to the American people, because it is regarded as the corner stone of our progress. But it would seem that the plans adopted for the Indians are very faulty and expensive. In the first place, let me call attention to some figures taken from the Indian Commissioner's reports, taking first those who are able to read. Exclusive of the Five Civilized Tribes in the Indian Territory, the number who could read in 1881 was 13,578; in 1891, 27,157; in 1901, 46,044—a very gratifying increase it is true.

But what has it cost? From 1882 to 1891, inclusive, it cost \$10,000,000. From 1892 to 1901 it cost about \$25,000,000. So that for every one who learned to read during the ten years from 1891 to 1901 between \$1,300 and \$1,400 was expended by the United States Government.

In 1901 there were enrolled in the schools something over 27,000 pupils, and the average attendance was over 23,000. Presumably every one that was enrolled has learned to read, and we are forced to this conclusion, that 8,000 more are now enrolled in the schools than learned to read in the ten years from 1891 to 1901. Or, if we examine with a view to criticising, it would seem that 8,000 of those who learned to read in 1891 have to be kept in school to this day in order to retain the knowledge they possessed at that time. This enormous expense did not begin until after the year 1881.

In 1877 the total amount expended for education was \$20,000; in 1881, \$75,000; in 1891, \$1,842,000. It has been increasing very rapidly in the last few years, except the present bill has a slight reduction. For the year 1903 the appropriation was \$3,531,000.

There are three or four kinds of schools: First, the nonreservation school, like that at Carlisle, Pa.; second, the boarding school on the reservation, and, third, the day school on the reservation. The difference between the day school and the reservation's boarding school is that in the latter the pupil stays during the school months of the year in the reservation boarding house and is fed and clothed there, while in the day school he only takes a lunch at school. There is still another plan under which the Indian youth are educated in white schools on condition that payment shall be made. The number thus educated is quite small.

Now, Mr. Chairman, several of these nonreservation schools would no doubt be helpful to the Indian. What is the number? There are 25 or 30 scattered all over the country, extending from Pennsylvania and North Carolina to California and Oregon. In almost every bill some ambitious State brings in a request to have another nonreservation school located within its borders. I seriously question whether this is the best way to educate the Indian. They are often cajoled and almost forced to go from their homes

thousands of miles to the nonreservation boarding school. For the most advanced scholar, for those who show unusual aptitude, such a school is a proper reward, but to send them indiscriminately from all over the country and without regard to their qualifications is a very serious blunder. There are certain things which can only be learned at the home and by the fireside. The family is not a conventional arrangement; it is a divinely ordained institution. When you sever the Indian from home, place him in strange surroundings, keep him there and then send him back, the probabilities are that he will either be out of line with his environment or that he will be ridiculed or thrown out by his tribe. He has not attained the civilization of the race with which he must compete, and he does not harmonize with that to which he was born.

Now, as regards the reservation boarding school, I question very much its benefits. Indian children are taken away from their families and boarded, clothed, and instructed at the school at public expense. That which is not prized will not be utilized. We all know the effect of the American school. The child goes home at night and talks with his parents about his studies. An impetus is given to him in the school to communicate thus with them. On the other hand, the affection and interest of his parents give him a spur to do his best. All this is lacking for the child who is separated from his family.

There is one point in this connection which I should like to elaborate more at length, but with the consent of the committee I will print some tables and accompanying material in the RECORD. These will tend to show that in many places where these schools have been maintained with the greatest care and for the longest time, habits of industry have been on the decrease rather than on the increase.

Mr. Chairman, I ask unanimous consent that I may be permitted to enlarge my remarks in the RECORD.

The CHAIRMAN. If there is no objection, the gentleman will have that leave.

There was no objection.

Following are the tables:

SHOSHONE AGENCY, WYO., SHOSHONE AND NORTHERN ARAPAHOE TRIBES.

	1891.	1901.
Number.....	1,732	1,626
Number wearing citizen's dress, wholly or in part.....	435	1,628
Number who read.....	188	309
Percentage subsisting by labor in civilized pursuits.....	25	12
Percentage subsisting by hunting, etc.....	25	.....
Percentage subsisting by Government rations and annuities.....	50	88
Number attending school.....	100	218
Expended for Government school and education under contract.....	\$17,306.61	\$23,042.07

The Government school was established in April, 1879.

Number of acres in reservation.....	1,754,900
Annuity under treaty.....	\$10,000.00
Proceeds of leases, labor, etc.....	\$7,847.16
Total income.....	\$17,847.16

POTTAWATOMIE AND GREAT NEMAHHA AGENCY, KANS., PRAIRIE BAND OF POTTAWATOMIES.

	1891.	1901.
Population.....	520	572
Citizen's dress, wholly or in part.....	520	572
Indians who can read.....	243	265
Percentage subsisting by labor in civilized pursuits.....	75	25
Percentage subsisting by cash annuities, etc.....	25	75
Expended by Government for schools, together with other tribes.....	\$16,262.24	\$23,919.78

Acreage under cultivation diminished at this agency.

The agent reports (see Annual Report of the Department of the Interior, Indian affairs, 1901, part I, p. 243) that "A fair valuation of lands and trust funds held by the Government makes these Indians worth \$4,000 apiece, or \$20,000 per family."

UMATILLA AGENCY, OREG., WALLA WALLA, CAYUSE, AND UMATILLA TRIBES.

	1891.	1901.
Number.....	997	1,083
Number wearing citizen's dress wholly.....	600	410
Number wearing citizen's dress in part.....	397	40
Percentage subsisting by labor in civilized pursuits.....	100	30
Percentage subsisting by hunting and fishing.....	.....	20
Percentage subsisting by Government rations.....	.....	50
Expended for education.....	\$7,988.60	\$11,187.60
Number who attend school (established in 1883).....	47	85
Number of acres in reservation.....	.....	79,820
Number of acres under cultivation.....	34,950	6,880

The agent states that the positions of carpenter and blacksmith have been discontinued at this agency, and no bad results have been remarked. These

mechanical branches of the Government tended to make the Indians more dependent upon the Government, and without free repairing they are more careful. Also much property of white men was brought in for repair by Indians. (See Report of Secretary of Interior, Indian Affairs, 1901, part 1, p. 332.)

Indian agent reports these Indians are advantageously situated, and there is no reason why they should not be self-supporting.

#### NEZ PERCE AGENCY, IDAHO, NEZ PERCE TRIBE.

	1891.	1901.
Number.....	1,700	1,567
Number wearing citizen's dress wholly.....	625	275
Number wearing citizen's dress in part.....	750	1,292
Number who read.....	230	250
Percentage subsisting by labor in civilized pursuits.....	80	35
Percentage subsisting by hunting, etc.....	15	2
Percentage subsisting by Government rations and annuities.....	5	63
Expended for Government school and education (school established at Fort Lapwai 1886).....	\$21,492.91	\$12,330.64
Number in schools.....	96	74

The Indians of this tribe have received and spent the greater part of \$1,626,222 paid them by the Government for their surplus lands in the last five years, or about \$5,000 per family. (See Annual Report, Department of the Interior, Indian Affairs, 1901, part 1, p. 215.)

#### SISSETON AGENCY, S. DAK., SISSETON AND WAHPETON SIOUX TRIBES.

	1891.	1901.
Number.....	1,730	1,950
Number wearing citizen's dress wholly.....	1,730	1,950
Number who read.....	834	1,000
Percentage subsisting by labor in civilized pursuits.....	50	10
Percentage subsisting by hunting, etc.....	50	10
Percentage subsisting by Government rations.....	50	80
Percentage subsisting by annuities and lease money.....	180	108
Number attending school.....	180	108
Expended for Government school and education (school established 1873).....	\$26,547.95	\$15,706.11
Number of acres in reservation.....	3,160	309,904
Number of acres cultivated.....	3,160	2,000

#### SAUK AND FOX AGENCY OF OKLAHOMA, SAUK AND FOX OF MISSISSIPPI AND OTHER TRIBES.

	1891.	1901.
Number.....	2,206	2,750
Citizen's dress wholly.....	1,275	2,400
Citizen's dress in part.....	891	350
Number who can read.....	829	600
Percentage of subsistence by civilized pursuits.....	84	20
Percentage of subsistence by hunting and fishing.....	13	80
Percentage of subsistence by Government rations and lease money.....	80	80
Expended for education (schools established 1868).....	\$21,173.24	\$22,676.20
Number of scholars.....	185	240
Number of acres in reservation.....	10,575	88,483
Number of acres cultivated.....	10,575	3,000

The Indian agent reports (see Annual Report of Department of the Interior, Indian Affairs, 1901, part 1, page 335), that "The Sauk and Fox tribe of Indians are a wealthy people." (Total number, 473.) "They receive \$94,000 per annum in annuities and about \$18,000 rentals from their allotments. This with their natural antipathy to work tends to make them indolent and very few of them work to any extent. \* \* \* As long as annuities are paid them, and with their lease money, is sufficient for their maintenance they will not progress. The Iowa Indians spend most of their time visiting other tribes and drinking liquor."

Among the tribes or agencies referred to in the above tables, it will be noted, are some which receive large grants from the Government in the way of gratuities, some which have large reservations of land, and other which receive annual interest on trust funds.

Mr. BURTON. Mr. Chairman, I have endeavored to select tribes or agencies in such a way that there will not be any discrimination against any one of five or six States and Territories, in all of which there is a showing of this kind. It appears that the Shoshones and Arapahoes, whose school was established in 1879, showed a percentage of 25 per cent in 1891, who subsisted by labor in civilized pursuits, but after ten years of further schooling this percentage dropped more than half. Next we come to the Indians at the Pottawatomie and Great Nemaha Agency. Here the school was established in 1871. In the ten years from 1891 to 1901 the percentage subsisting by labor and civilized pursuits dropped from 75 per cent to 30 per cent, while those subsisting by cash annuities, etc., increased from 25 per cent to 70 per cent. Everyone will admit that for such a race such as the Indian that which is most needful is that he may adjust himself to civilization by habits of industry and by doing for himself.

[Here the hammer fell.]

Mr. KLEBERG. I move that the gentleman's time be extended for ten minutes, or until he has time to conclude his remarks.

Mr. BURTON. I certainly shall not occupy more than ten minutes more.

Mr. SHERMAN. I understand that the gentleman had for his side one hour and thirty minutes. If no other gentleman desires to occupy the thirty minutes, I ask unanimous consent that the gentleman from Ohio be permitted to occupy so much of the thirty minutes as he may desire.

The CHAIRMAN. The gentleman from New York [Mr. SHERMAN] was allotted thirty minutes. Does he yield?

Mr. SHERMAN. I was not here when the agreement was made. Was not the gentleman from Ohio to have an hour and a half under his control?

The CHAIRMAN. One hour; and one-half hour was to be controlled by the gentleman from New York, who can, if he wishes, yield to the gentleman from Ohio.

Mr. SHERMAN. I shall be glad to yield to the gentleman some little time, if he desires.

Mr. BURTON. I think that ten minutes will be all that I wish.

Mr. SHERMAN. I shall be very glad to yield the gentleman ten minutes.

Mr. BURTON. The worst showing of all is that made by the Indians at the Sauk and Fox Agency in Oklahoma. Here a school was established in 1868, upon which was expended something over \$20,000 both in 1891 and in 1901. The number subsisting by civilized pursuits in 1891 was 84 per cent, while 16 per cent subsisted by hunting and fishing. In 1901 20 per cent only subsisted by labor in civilized pursuits, while 80 per cent obtained their support from Government rations and lease moneys. The remarks of the Indian agent quoted above throw a great deal of light upon the situation at this agency.

The natural inference to be framed from these illustrations, which are of sufficient number to prevent their being regarded as isolated cases, is that the prevalent method of Indian education stimulates a desire to live without work and by Government bounty rather than by industry.

The very large wealth of some of the Indian tribes will attract our attention. The following is a statement of the condition of the Osage Indians, the wealthiest of the tribes:

[Report 1901, p. 326.]

#### OSAGE INDIANS, OKLAHOMA.

Number in tribe, 1,788.	
Income:	
Interest of Kansas lands sold, 5 per cent.....	\$413,557.16
Rental on pastures.....	128,296.08
Permit tax, gross tax, etc.....	8,945.00
Interest on money on deposit.....	3,456.00

Total.....	554,254.24
Average per capita, per annum, over.....	315.00

Moneys derived from rental of pastures are to be divided whenever there is \$100,000 or more on hand.

Quantity of land owned, 1,590,195 acres, some of which is worth \$30 per acre, and the average value is said to be not less than \$5 per acre. The per capita wealth of each member of tribe, capitalizing investment funds at 5 per cent and adding the value of their lands, exceeds \$9,000. Yet in 1901, 23 members of this tribe were boarded, clothed, and maintained at Carlisle school, and their transportation expenses paid, all at Government expense.

In speaking of the Indians at the Pottawatomie and Great Nemaha Agency in Kansas, the agent states that the public valuation of lands and trust funds held by the Government makes these Indians worth \$4,000 apiece or \$20,000 a family, and he goes on to say, as set forth above, that this very fact causes these Indians to be idle and thriftless. I am informed that the Potawatomes pay the whole or a portion of the expense of their schools, but in most cases the money is paid by the United States.

Mr. GAINES of Tennessee. How many of these Indians are there altogether?

Mr. BURTON. The gentleman from Tennessee asks me as to the number of these Indians. In 1900, exclusive of Alaska, there were 237,196; in 1890 there were 243,253. Of these there were in the Indian Territory in 1900, 52,500; in 1890, 51,279.

Mr. GAINES of Tennessee. How many of them are now civilized?

Mr. BURTON. That is a question which I suppose it is impossible to answer. I think the number would most naturally include those who have lived in association with the whites, or who are living on allotted lands.

In this connection there is one tribe, the Stockbridge Indians, of Wisconsin, which is worthy of attention. It appears that all the members of this tribe sustain themselves by civilized labor, but they were among the very first to have their lands allotted in severalty.

Now, what are some practical suggestions looking to an improvement of our Indian policy? First, we ought to have more adequate statistical information. In 1875 a statute was passed directing the Secretary of the Interior on the 1st of November of every year to give a tabular statement of each appropriation of the previous year, setting forth how the amount had been expended. In the official list of executive documents to be transmitted to Congress this is included. I can not find that any

such document has been furnished. Anyone who desires to study the condition of Indian tribes and ascertain what disposition of moneys has been made, must search through a multitude of tables. In some of these tables they are classified by tribes, in others by agencies; and it is with the very greatest difficulty that ready and accurate information can be obtained.

Next, closer care and supervision about the issuing of rations; the enforcement of a rule contained in the statute of 1875, that an Indian should not receive rations unless he did work for his tribe or for himself to an amount equal to the value of the rations issued to him.

Next, the breaking up of the reservations. It may be necessary to provide that the Indian allottee, to protect him against imposition, shall not be allowed to dispose of his lands until some time after he has acquired individual ownership, but it can not be questioned that tribal ownership has kept back the Indian race and proved a barrier to its development.

Next, a closer scrutiny of these schools, confining them to the essentials of education, and, most of all, keeping in view the all-important object of inculcating habits of industry.

Why, I looked over the report of the school superintendent, which lays out a six years' course in agriculture, and gravely gives a number of pedagogical platitudes as instructions to teachers. There are some extracts. For the first year it says:

Do not restrain the natural curiosity of the child and his tendency to ask questions.

The second year they should have some light work to do, "such as shelling corn for the fowls." In the third year they are advanced enough to "drive the cattle." In the fourth year such progress will have been made that the pupil can be told of the necessity of keeping the place free from weeds. The next year they are to be taught the meaning of "capillary attraction." There is the reason, Mr. Chairman, why so many farmers have been unsuccessful, and that we have had such knocking at the doors of Congress for appropriations for the irrigation of arid lands. It is because the farmers do not understand capillary attraction. [Laughter.] In the sixth year it says:

Show that a number of dogs consume, and do not tend to add to, the revenue of the family. Endeavor to lead him (the pupil) to independence.

Teach him independence in the sixth year when for five years you have been destroying all independence and preventing him from forming habits of self-reliance by keeping him in this kind of tutelage.

The American boy is surrounded by those who are competent to teach, but he is expected to see some things and learn some things for himself. He loves to spend his time in the clear sunlight, and is not penned up within the walls of a boarding school. He does not take his bath in a Government bath tub; he goes to the running brook and plunges in, eager, self-confident, as though he were Lord of the water as well as the land. In the summer time he is up with the dawn and at the close of twilight falls into well-deserved repose. He early learns that self-reliance which is the beginning of a useful citizen. He will be the strongest factor in our citizenship, because from his very boyhood he is taught to work and depend upon himself. When grown to manhood he will be the chief reliance of his people, and when days are dark and statesmen tremble he will be the first to respond if the tocsin of alarm is sounded. He will not leave his country defenseless.

Amid surroundings which are lowly and toilsome beyond the common lot, he can look to the splendid array of presidents, generals, and men successful in the commercial world who were born upon the farm with hopes that for his children broader fields may open, and that they may enjoy a position in this free Republic, prouder than the kings of old. Thus, you may say to him in the language of the witch to Banquo:

Thou shalt get kings, though thou be none.

[Applause.]

Now, if we do our duty to the Indian we will give him something of the selfsame reliance. We will build up his manhood as well. [Applause.]

Mr. SHERMAN. Mr. Chairman, I have enjoyed very much indeed, as I believe all the members of the committee have, the full and logical and chronological and eloquent speech of the gentleman from Ohio [Mr. BURTON]. He has demonstrated, as he always does when he takes the floor, that he has studied his subject and understands of what he speaks. He has placed before us a goal which he thinks we should eventually reach in arriving at the millennium of the Indian problem. He sees a goal, Mr. Chairman, which men who have devoted days and weeks and years of thought to the study of the Indian problem saw many years ago, a goal which this Government through its proper officials has been struggling to reach, and which, please God, we may some time yet attain.

It can not be reached in a month, in a year, I fear not in one or two generations or more—perhaps never. The red man is no-

madic. The Indian is not naturally a domestic person. He is a wild man, a warrior, a fighter, a hunter. His blood for generations has been the blood not of a domestic person, but of a man who has enjoyed fighting, enjoyed warfare, enjoyed wildness; who has lived a life not by the toil to which the white man resorts to attain his livelihood, but by hunting and fishing—by pursuits which to the white man are considered purely and solely recreation, sport.

The gentleman criticises the general policy of the Government; and the officials of the Government recognize and have recognized for many years that the criticism is fairly just, and have been struggling to reach that point where this criticism no longer has ground. The gentleman suggested in the early part of his remarks that the Indian appropriation bill is very much the same year after year; and let me thank the gentleman for his commendation of the individual members of the committee, and let me add to his commendation, which was confined to the gentleman from Kansas and myself, the commendation of the various members of the committee on both sides of this Chamber.

I want to say, Mr. Chairman, that in all the years in which I have been upon that committee I have no recollection of partisanship governing the action of the members. It is a committee which has attempted to do its full duty without thought of upon which side of the Chamber members sat or to which party the different members belonged. The gentleman from Ohio suggested that the Indian appropriation bill year after year is much the same. That is true. Is it not also true, Mr. Chairman, that the legislative appropriation bill, the Post-Office appropriation bill, and all the various other appropriation bills are much the same? Not the river and harbor bill—there are many more changes in that.

And, Mr. Chairman, it must be so, because a large proportion of the appropriations carried by the Indian appropriation bill are for moneys which the Government has agreed to pay to the various Indian tribes, some of them covering a period of perpetuity and others a period of ten, twenty, or thirty years. It is so because we have inaugurated a policy in reference to agencies which has changed only as to personnel. The bill itself differs with reference to the agencies to this extent: That whereas ten years ago we appropriated for sixty odd, we now appropriate for forty. I think the gentleman on second thought will hardly think that criticism of the Indian appropriation bill is a just one.

The gentleman rightly defends the white men of this nation against the sweeping and unjust criticism that has been made of them affecting their relations with the red tribes of this country. I agree with the gentleman that this Government for more than a hundred years has been liberal beyond justice to the Indian tribes, has been generous at times, as the gentleman indicates, to a fault in their treatment of the red man. Mr. Chairman, I think partially the allegations of deceit and of fraud arise from the fact that we are dealing with a people who are not only ignorant of our language but ignorant of almost everything else, and it arises from a mistaken idea of statements, of promises, sometimes made by intelligent people to those who understand only by signs.

The gentleman from Ohio bases his criticism of the policy of the Government upon three propositions, as I understand—rations, reservations, and education.

Now, Mr. Chairman, so far as the rations are concerned, the greater part of the rations which we furnish the Indians to-day are furnished under treaty obligations which we must respect. The amount that is covered by treaty in the last appropriation bill was \$3,000,000; in this present bill something over \$2,000,000. The amount for miscellaneous support, which is for gratuities, in the last bill was \$750,000 and in this bill \$675,000. The gentleman from Ohio does not object, he states, to the issuance of rations to the poor or the decrepid, or to those who for any reason are unable to maintain themselves or to obtain their food by the sweat of of their brow, as the gentleman said.

Mr. Chairman, the committee asks the House in no case to appropriate to provide rations for the Indians except in cases where a treaty of this country provides for it, and except in cases where such conditions as the gentleman describes exist. Where the Indians go to the agencies in their carriages for their rations, they go for rations which have been promised them by the American Government, and in no way are they gratuities. They are gratuities where the people are old and decrepid, or where they are so located that no living thing except a prairie dog or ant can exist.

I wish the gentleman might spend a little time in going over some of the Indian reservations in this country, and then tell me for how long he thinks a white man could support himself upon 160 or 1,000 acres of such land. Take, for instance, the Navaho Reservation—large in area, a reservation set aside for a large and important Indian tribe—thousands and thousands of acres where not one spear of grass grows.

Mr. Chairman, in order to reach Fort Defiance, which is the agency headquarters of the Navaho Reservation, you ride 35 miles from the railroad, and for that entire distance of 35 miles, all but 3 or 4 on the Indian reservation, not a spear of grass grows, not a drop of water runs, and not a drop of rain has fallen for nearly four years. Tell me how anybody can live on such land as that. To be sure, some portions of the Navaho Reservation do produce something, but the land upon which the Indian is expected to support himself, Mr. Chairman, is land upon which the average white man of the world would be unable to subsist for one-quarter of the time that the Indian lives upon it.

The question of rations to the Indians, the distribution of rations to them, and its effect upon them, is not a new one for the consideration by the Commissioner, or by the Secretary of the Interior, or those having in charge the Indian affairs. It has been a living question for twenty years. During the last two years there has been applied a new policy—that of compelling the Indians, where it is possible to do so under the terms of their treaty, to earn by their own labor the rations which are dealt out to them, and where an Indian refuses to work to withhold their rations. I will not detain the committee by reading at length, but I will print in my remarks a page or two, or three, of the report of the Commissioner on Indian Affairs, submitted to Congress when it convened in December, and which states in detail all that has been done and what progress has been made in this new system of issuing rations only to such Indians as perform labor therefor. It is as follows:

OFFICE OF INDIAN AFFAIRS,  
Washington, D. C., October 16, 1903.

SIR: The Seventy-first Annual Report of the Office of Indian Affairs is respectfully submitted.

PRECEPT AND PRACTICE.

**Cutting off rations.**—In previous reports some space was given to the discussion of the Indian's progress and the difficulties to be overcome on his way to civilization. It was pointed out that among the obstacles to his self-support the first and perhaps the principal one was the then prevailing ration system, which was justly condemned as encouraging idleness, with its attendant vices, and as foreign in its results to the very purpose for which it was designed.

At the same time, while an evil, it was admitted to be a necessary evil, to be endured only while the Indian was learning the art of self-support, or at least put in a way where, by the exercise of ordinary industry, he could support himself. The continuance, however, of the practice of the indiscriminate issue of rations to all alike, with regard to their worldly condition, was earnestly opposed, and it was laid down as a correct rule of action that only the old and helpless should be supported, while the able-bodied, if not already self-supporting, should be given the opportunity to work and should then be required to take care of themselves.

Faith without works is dead. Realizing this the office set to work to show by its acts the sincerity of its belief.

And here it is proper to say that this change in the manner of dealing with the Indians was not a hasty conception on the part of the office. Indeed, it was not new at all. It has been the hope and desire of enlightened men for many years. But inasmuch as it has been the subject of some harsh criticism and severe condemnation, and as the Indian Office has been freely charged with ignorance and blunders, it is simply fair that the motives which governed it and the principles which actuated it should be known and understood in order that the public may form an intelligent judgment on the matters involved. For this purpose it is necessary to go over some familiar ground and give it a somewhat extended notice.

The present movement began some two years ago, and arose out of a communication from chiefs and headmen of the Sioux Indians of the Rosebud Agency. About October, 1900, they addressed a letter to the President representing that they were the headmen of the Sioux Indians of Rosebud Agency and represented the tribe; that under the "Black Hills treaty" of 1876 they were to be given certain rations; that these rations had been cut down from time to time until they were getting much less than the amount stated in that agreement; that they were hungry most of the time, especially the old and the crippled, and that before the winter was over they would suffer very much; that in former years they could make some money by freighting, but as their annuity goods had been taken away, a large part of their freighting had fallen off; that in years past they got the hides from the beef cattle killed for issue, which were a great help in procuring things to eat; that they would obtain more benefit from the hides if issued to them direct than if they were sold and the money paid to them once a year; that they needed the hides to make moccasins and covering for their beds, etc.; that as they got little freighting and no beef hides, and were unable to raise much on their land, they had to depend on the rations issued by the Great Father; that while they wanted to obey his orders, yet they could not sit down and see their people starve; that they had talked many times with their agent, who was powerless to do anything without the authority of his superiors, and that they would like to have some assurance that something would be done for their relief. They therefore asked the President to answer them through their agent and tell them if he could help their people.

Recognizing that the tone of that letter was probably symptomatic of the feeling then pervading the Sioux people generally, and that the conditions at Rosebud were similar to those existing at the other Sioux agencies, and further, that the action taken with regard to the Sioux would have an important bearing upon other tribes similarly situated, the office, with a view of contributing to the better understanding of the matters referred to, submitted to the Department, along with the Indians' letter to go to the President, a communication treating of the Sioux Nation as a whole. That communication, after reciting the substance of the Indians' letter, took up the consideration of the Black Hills treaty, the true intent and meaning of which has been the subject of so much contention, and quoted the articles of that agreement relating to the matters under discussion, as follows:

"ART. 4. The Government of the United States and the said Indians, being mutually desirous that the latter shall be located in a country where they may eventually become self-supporting and acquire the arts of civilized life, it is therefore agreed that the said Indians shall select a delegation of five or more chiefs and principal men from each band, who shall, without delay, visit the Indian Territory, under the guidance and protection of suitable

persons, to be appointed for that purpose by the Department of the Interior, with a view to selecting therein a permanent home for the said Indians.

"If such delegation shall make a selection which shall be satisfactory to themselves, the people whom they represent, and to the United States, then the said Indians agree that they will remove to the country so selected within one year from this date.

"And the said Indians do further agree that in all things to submit themselves to such beneficent plans as the Government may provide for them in the selection of a country suitable for a permanent home, where they may live like white men.

"ART. 5. In consideration of the foregoing cession of territory and rights, and upon full compliance with each and every obligation assumed by the said Indians, the United States does agree to provide all necessary aid to assist the said Indians in the work of civilization; to furnish them schools and instruction in mechanical and agricultural arts, as provided for by the treaty of 1868.

"Also to provide the said Indians with subsistence consisting of a ration for each individual of a pound and a half of beef (or in lieu thereof one-half pound of bacon), one-half pound of flour, and one-half pound of corn; and for every 100 rations, 4 pounds of coffee, 8 pounds of sugar, and 3 pounds of beans, or in lieu of said articles the equivalent thereof, in the discretion of the Commissioner of Indian Affairs.

"Such rations, or so much thereof as may be necessary, shall be continued until the Indians are able to support themselves.

"Rations shall, in all cases, be issued to the head of each separate family; and whenever schools shall have been provided by the Government for said Indians, no rations shall be issued for children between the ages of 6 and 14 years (the sick and infirm excepted) unless such children shall regularly attend school.

"Whenever the said Indians shall be located upon lands which are suitable for cultivation, rations shall be issued only to the persons and families of those persons who labor (the aged, sick, and infirm excepted); and as an incentive to industrious habits the Commissioner of Indian Affairs may provide that such persons be furnished in payment for their labor such other necessary articles as are requisite for civilized life.

"The Government will aid said Indians as far as possible in finding a market for their surplus productions, and in finding employment, and will purchase such surplus, as far as may be required for supplying food to those Indians, parties to this agreement, who are unable to sustain themselves; and will also employ Indians, so far as practicable, in the performance of Government work upon their reservations."

It was then shown that the rations provided for the Sioux at the time were sufficient, unless the Indians were improvident, to prevent want. The letter then went on to say that the Sioux rations, as well as the rations for all other tribes, had been gradually reduced; that this was in accordance with the policy of this office and the spirit of the Sioux agreement of 1877, and that the true intent and meaning of that agreement was forcibly expressed by a former Commissioner of Indian Affairs nearly ten years before. In writing to the Secretary of the Interior at that time in relation to the subsistence supplies issued to the Sioux, Commissioner Morgan quoted articles 4 and 5 of the agreement as they have already been given here, and then said:

"This agreement is still in force, and the questions now raised are questions as to how far the Government has kept its obligations.

"It is worthy of special note that the end aimed at in the agreement was the civilization of the Indians. They were to settle down permanently; their children were to be educated; they were to live like white men, and the rations issued to them, or so much as might be necessary, were to be continued until 'the Indians are able to support themselves.' It is clearly evident that the Government never intended that the Indians should look to it for continuous support; that no promises of this kind were ever made, and that the Indians themselves did not expect it, and apparently did not desire it. The object of the rations was not that the Indians might be fed by the Government, but simply that they might be assisted and kept from want during the period of their probation while they were learning the art of self-support.

"No one will question the wisdom of this policy. No intelligent man will doubt that the welfare of the Indian demands that just as soon as possible he shall be rendered self-supporting, and that any help in the way of food or other supplies furnished him by the Government in excess of his absolute needs so as to remove from him the spur and stimulus to labor is not a kindness, but an injury.

"The only serious question which can be raised in this connection is, how long a time are these rations to be continued and under what circumstances the Government shall reduce or discontinue them.

"It should be noted that the agreement expressly stipulates that—

"Whenever the said Indians shall be located upon lands which are suitable for cultivation, rations shall be issued only to the persons and families of those persons who labor (the aged, sick, and infirm excepted); and as an incentive to industrious habits the Commissioner of Indian Affairs may provide that such persons be furnished in payment for their labor such other necessary articles as are requisite for civilized life."

"It certainly will be accepted as a truism that the Government had a right to demand of the Indians that they put forth for self-support whatever efforts might reasonably be demanded of them considering their nature and surroundings. It will also be admitted that, considering the end in view, it would be a humane act on the part of the Government to decrease the rations, even though such decrease should bring temporary hardship, provided such hardship should serve as a stimulus to labor and self-help. Of course no one would urge that the Indians should be starved. In fact all that can be demanded, either in fulfillment of treaty obligation or as an act of justice or humanity, is this, that the Indians shall put forth all proper exertion in the way of gaining a livelihood by their own labor as other men are forced to do, and that in connection with such effort on their part food supplies shall be issued to them in such quantities (not exceeding the amounts named in the agreement) and for such length of time as a sincere regard for the highest welfare of the Indians shall dictate."

The remainder of the letter was devoted to showing that the Sioux Indians, aside from rations, had received annually during the thirty years previous a suit of clothing or material to make it; that they had also received a large number of beneficial articles, such as agricultural implements, fence wire, building material, etc., for which \$5,480,200 had been appropriated during the thirty years the treaty was alive; that they received the proceeds of the sale of hides derived from beef cattle; that they got more benefit from them this way than the other; that they were receiving 5 per cent annually on \$3,000,000 in the Treasury, one-half in education and one-half in cash; that they had received since 1890, 20,000 cows and 900 bulls; that at the time of that writing they possessed over 88,000 head of cattle; that they were able to sell that year probably 5,850 head to the Government to be issued back. In passing it may be interesting to observe that within the last thirty-three years there has been appropriated for the benefit of the Sioux nearly \$60,000,000 for the purposes named.

This was forwarded to the President by the Secretary of the Interior in a letter dated November 26, 1900, which is referred to and partially quoted in

his last annual report, the conclusion of which was that the time had come for Indians either to support themselves or at least to furnish a part of their support; and this conclusion was heartily approved by the President.

It then being winter it was not considered judicious to make any immediate change in the prevailing policy, and so the issue of rations was continued as usual the remainder of that fiscal year. Before the next fiscal year opened, however, steps were taken to carry out the views expressed. On June 20, 1901, a letter was addressed to the Sioux agents, which, as it is the first enunciation of the future policy to be pursued, is given in full:

"DEPARTMENT OF THE INTERIOR,  
"OFFICE OF INDIAN AFFAIRS,  
"Washington, June 20, 1901.

"SIR: As the next fiscal year is approaching, when new arrangements will go into effect for the support and civilization of your Indians, it is a proper time to address you on the subject of the issuance of rations to the Indians on the Sioux reservations.

"As you are doubtless aware, this subject has had the earnest attention of those who are actively engaged in the Indian service as well as those who, though not connected with it in an official capacity, sympathize in the work, and the almost universal opinion is that the indiscriminate issue of rations is a hindrance rather than a help to the Indians.

"The fact is recognized that a majority of your Indians, perhaps a large majority, are unable to support themselves, even if they would, except only partially, and therefore must be subsisted wholly or in part as contemplated by the agreement of 1877. On the other hand, it is a well-known fact that a large number of persons classed as Indians have profited by the assistance they have received from the Government and are now not only beyond want, but in many instances are prosperous, and often affluent. How many of these there are is not known to this office, but it is certain that having reached the stage of self-support they are no longer entitled to the ration prescribed by the agreement referred to.

"In order that there may be no misunderstanding as to the meaning of this, the earnest attention of your Indians is invited to a correspondence that took place last fall. In October, 1900, the office received a letter signed by Sioux Indians of the Rosebud Agency, addressed to the President, relative to their condition, their prospects, and their needs. They referred to the Black Hills agreement of 1877, the reduction that had been made in the ration prescribed thereby, the loss of income by reduced freighting, their inability to raise much upon their land, and asked the President to answer them through their agent and tell them if he could help their people.

"This letter was forwarded to the honorable Secretary of the Interior with a brief report as to the number of the Sioux, the benefits and meaning of the so-called Black Hills treaty, the rations provided for the current year, the disposition of hides, the income from their trust fund, the number of cattle they were able to sell the Government to be issued back again, and other particulars relating to their welfare.

"The Secretary of the Interior transmitted the Indians' letter to the President on the 26th of November last, together with the report of this office, and after referring briefly to the several items of that report referring to the Rosebud Indians in particular, became more general and said:

"Article 5 of the treaty of 1876, known as the Black Hills treaty with the Great Sioux Nation (of which the Rosebud Indians are a part), which was ratified by the act of Congress approved February 28, 1877 (19 Stat., 254), provides for assistance for the said Indians in the work of civilization; to furnish them schools and instruction in mechanical and agricultural pursuits; also a certain prescribed ration, which ration, 'or so much thereof as may be necessary, shall be continued until the Indians are able to support themselves.'

"From the representations made by the writers of the communication referred to, it does not seem that they or the other Indians of the Rosebud Agency are any nearer the goal of self-support than they were twenty-four years ago, when the treaty was made. Regardless of the provisions in the treaty looking to the reduction in the ration as they become able partly, if not wholly, to sustain themselves, which they appear to be able to do, and notwithstanding the facts stated by the Commissioner that individual Indians of this band own nearly 20,000 head of cattle, and that more than 1,500 head were purchased from them last year, at a cost to the Government of more than \$50,000, which cattle were afterwards issued to and eaten up by the band, they still claim full benefits under the treaty named."

"He concluded his letter by saying—and this is commended to the serious consideration of your Indians:

"From the facts stated, it does seem that the time has come when individual Indians who are so well qualified to at least furnish a part of their own support, as some of these Indians seem to be, should be required to take upon themselves a portion of the burden of their own care. The Government has faithfully and well fulfilled its obligations to them, and as the treaty of 1876 is mutual in its provisions, I respectfully recommend that such individuals as are known to be able to do so, be required to furnish their own support, or at least to contribute toward it, so that the Government may be relieved of their care, and the spirit of the treaty of 1876, in that respect, carried into effect by them as well as by the Government, and that answer to this effect be communicated to them through their agent, as requested."

"It is understood that this matter received the earnest attention of the President and that he gave the Secretary's letter, just quoted, his unqualified approval.

"In the face of this the indiscriminate issue of rations to all alike must stop.

"It therefore becomes your first duty to go over the ration rolls of your agency and erase therefrom all those who are wholly self-supporting. Your next duty will be to regulate the ration issued to the necessities of the recipients. As now practiced, it is understood that rations are issued to all alike—that is, they are distributed equally among the Indians of your reservation without regard to their worldly possessions. This should not be continued longer. Many families are, perhaps, partially self-supporting, but in different degrees. In such cases the ration should be issued according to the particular needs.

"In determining who shall receive rations one important consideration must not be overlooked. Rations must not be issued to those who have no disposition to attempt to support themselves. The law and regulations to this effect are old, but in many cases seem to have been honored more in the breach than in the observance. Nevertheless, they are good, and should be enforced so far as conditions will allow.

"The office is unable to lay down any particular rule for the guidance of agents in arriving at correct conclusions in these matters. Indeed, an arbitrary rule would not work satisfactorily. In some cases it will not be a difficult task to determine who is self-supporting, in others it undoubtedly will. Neither will it be easy at all times to determine just to what extent a family or an individual should be assisted. In all cases it will be a matter of judgment in which that of the agent will or should largely predominate.

"The duty herein prescribed is an onerous one, and affecting as it does so deeply the present and future welfare of those under your charge, you will recognize the propriety of bringing to its discharge the most impartial, con-

scientious care. If the assistance of this office is needed, it will be given for the asking.

"It is possible that some of those who are able to support themselves may voluntarily withdraw from the ration roll, and thus contribute to the cause by their example. To the knowledge of this office there have been instances of this, and doubtless if the object to be obtained were properly presented there would be others.

"It is admitted that perhaps progress will be slow, but the time to begin it is here, and the object of this letter is to bring the Indians to a realizing sense of the attitude of the Government.

"At the proper time it is proposed to send you, as was done last year, a statement of the quantities of subsistence purchased for your Indians for the next fiscal year. They are believed to be ample for the needs of all who should receive rations if the spirit of this letter is observed.

"There is another class of Indians to whom the issue of rations would seem to be uncalled for. I refer to those drawing a salary from the Government. The number of these is large, many of them holding desirable positions, with very liberal salaries. A hasty examination of the salary list of the Sioux agencies shows that over 150 of the agency employees alone are Indians receiving salaries from \$840 per annum down to \$120, very few, however, of the latter. The majority of these earn as much as, if not more, year in and year out, than the average laborer of the country. There is no question in the mind of this office that the issue of rations to these should stop.

"There are also a large number employed in the schools with salaries from \$300 down, besides quarters and other conveniences. The impression prevails here that many of these, if not all, draw rations. If so, the office can see no reason for the continuance of the practice.

"These two classes, therefore, should be eliminated from the ration roll.

"The Indian police are excepted from this ruling, as their salaries are very small and their duties are peculiar. There may be other exceptions to the rule. If so, the office will consider them on their merits.

"It is the desire of this office to have this new departure go into effect as soon after the beginning of the new fiscal year as possible.

"This letter has been addressed to the agents in charge of the Sioux of different tribes, except Santee."

Later on in September, 1901, a similar letter was sent to all other ration agencies on the ground that what was good for the Sioux was good for all, so that by the fall of 1901 all of the ration agencies were on the same basis with respect to the self-supporting.

While this was a step in the right direction, it did not remove the great evil to be overcome, which was the support of Indians in idleness. The extent and demoralizing effects of this evil were generally recognized and universally condemned, except, perhaps, by a mistaken philanthropy, which, ignoring the natural law that man must earn his living by the sweat of his brow, would exempt the Indian from labor and carry him upward on flowery beds of ease. Much had been said about this evil, and sporadic attempts had been made to check it, but with little avail. For years the Indians had been fed and clothed and allowed to spend their time in the devil's workshop.

It was felt that it was time for a change. Heretofore the dealing had been with the tribe; it would now be with the individual. He would no longer be looked upon simply as one of a dependent community to be dealt with as a whole, but would be considered independently and treated as one capable of developing those qualities which would lift him above the level of a pauper and fit him to become a useful member of society. His manhood would be appealed to. An attempt would be made to teach him self-reliance and self-respect. He would be induced to acquire habits of industry and to forsake the ways of idleness. Necessity, and necessity alone, would do this. He must want before he would work; he must come to the bitter realization that idleness and hunger go hand in hand, and understand that he must put his hand to the plow if he would live. His rations would therefore be stopped and he would be offered work instead: work that he could do; not aimless work, but work with an object; not made to dig a hole one day and fill it up the next simply for the sake of doing so; that would deprive labor of the very essence of its worth—a definite purpose. He would be put at something which would give him not only a present living, but which he could see would bring him benefit in the future. He would be paid fairly and promptly for his work, and then left to provide for himself.

Accordingly, in the early part of January of the present year agents were advised that rations would no longer be issued to the able-bodied, but that the money thus saved would be used to pay them in cash for labor in building roads, dams, or reservoirs for storage of water, or any other work that would give them profitable occupation for the present and lead to their self-support in the future. Men were to be paid \$1.25 a day of eight hours, and men with teams \$2.50. Not only were the agents to employ the Indians to the fullest extent themselves, but they were to use all of their influence in finding employment for them in the surrounding country; and it was suggested to them that they should devote the greater part of their time to the civilization of their Indians, leaving the minor details of administration to subordinates, and that an Indian agency should be a bureau for employment of Indians rather than a center for the gratuitous distribution of supplies.

As this has been the subject of considerable animadversion and been stigmatized as a plan for the encouragement of contract labor, it is proper that some particular notice should be taken of these strictures, and the false charges refuted. As to the assertion that the plan is to hire out adult male Indians as contract laborers, nothing can be farther from the truth. In all the correspondence there is not even a hint of such a thing. It was simply suggested to agents that they should circulate the information in the surrounding country that laborers could be obtained at their agencies, if such were the fact. If they could not give the Indians work themselves, they were to find it for them if they could. And that was their plain duty. If reference is made to the Black Hills treaty, already quoted, it will be seen that the Government obligates itself to aid the Sioux Indians in finding employment. The agents, therefore, in publishing the fact that there were Indians willing to work, were simply carrying out both the letter and spirit of that agreement.

In all of this there was not the slightest suggestion of hiring the Indian out under contract. That implies coercion. There was not a thought of such a thing. He was to be given an opportunity to work, that was all. If the Government did not have it, it was to find it for him. He could work or not, as he chose. He was as much a free agent with respect to this as anyone else. Only if he were given the opportunity to work and refused, he was not to expect to be supported by the Government.

The new policy was received with much discontent in some quarters, and passive if not open opposition in others. There were a few mutterings and a good deal of talk about vested rights, some sympathetic expressions over the hard lot of poor Lo, and here and there a prophesy of an "uprising." Interested parties endeavored to create a sentiment against it, while self-constituted conservators of the Indian either cast aspersions upon its authors or damned it with faint praise.

In spite of these and other adverse influences, the office persevered with its policy and is now in a position to form an intelligent idea of its effect.

Everywhere the results have been favorable even beyond expectation. Misgiving in some quarters has given place to confidence, and while, perhaps, the experimental stage has not been passed, there is every reason to believe that the final success of the plan, if carried out judiciously, is assured.

As a first result over 12,000 have been dropped from the ration roll, being wholly self-supporting. As a second result a large number of Indians have been put to work, or work has been found for them. As to the effect of this let others speak.

One agent writes:

"The Indians are eager for work, even some of the older ones, classed by the physicians as physically unable to work, insisting on having work. \* \* \* These Indians are working as faithfully and intelligently as could be expected of people who have never had occasion to work for their support, and there can be no question as to the wisdom of the new policy and its good effect on these people."

Another says:

"The results so far are very gratifying. \* \* \* As soon as the fact that work could be secured was known by the tribe, applications came faster than they could be employed. One man, over 50 years of age, when drawing his pay for a few days' work, acknowledged it was the first money he ever earned, and seemed pleased that it was possible to secure money without waiting for annuity or lease payments. \* \* \* There is no question but that the time was ripe for the adoption of the present policy."

Another:

"I think this new policy has had a very desirable and stimulating effect upon these Indians to look for employment, while a great many of them are always ready to work when they can see that they are to be compensated for it; yet they seem now to be more anxious for work than ever before."

Another:

"We have succeeded beyond our most sanguine expectations. Over 300 have been secured employment outside of the Government work. They are employed on the railroad, by ranchmen, in cutting wood, shearing sheep, and other minor occupations. They are paid by the railroad \$1.50 per day; by ranchmen \$30 per month and board; for chopping wood, \$1 per cord; shearing sheep, 7 cents per head, and other labor in proportion. \* \* \* The result of all this is that the Indians have lived better than ever before. \* \* \* No one has suffered by the reduction of rations; but, on the other hand, there has been less discontent and complaint than I have ever before known. \* \* \* In conclusion, I beg to recommend that the present policy of handling the Indians at this agency be continued."

And still another:

"I could have secured employment for practically all the able-bodied Indians in this agency if they would have accepted it. \* \* \* Some of these pretended friends of the Indians, instead of encouraging them to accept this work, even at small wages, have been assiduously trying to discourage them from going. \* \* \* Concerning those who did go to work off the reservation, I would say that they gave perfect satisfaction to their employers, who have informed me that they would rather have them than white laborers. \* \* \* The general effect on the Indians of the work done on the reservation has been a very good one. It has been very satisfactory from all standpoints."

An inspector says:

"Above all else I believe the best lesson an able-bodied Indian can have is to convince him that he must work or starve. If he complains that there is no work to do, the Government should be prepared for him with labor on roads, irrigating ditches, coal fields, lumber camps, etc. For such work let him be paid a moderate sum in cash. To pay in rations or to pay more than the Indian earns are both errors which experience has proven should not be repeated. But if the Indian says he is hungry, let him be shown the 'Government wood pile' and be compelled to work his way through it."

A superintendent of thirty years' experience writes:

"Your letters \* \* \* point toward the fact that the Indian Office expects in the near future to discontinue the gratuitous issue of rations. Any time during the last twenty years I would have hailed this step as a boon to these Indians. \* \* \* The policy of the Government in issuing so much to them gratuitously has dwarfed their energies, cultivated their dependence, and encouraged their extravagance. After thirty years of issuing gratuitous rations, after distributing many carloads of farming implements, wire for fencing, and wagons and harness, after receiving two cash annuity payments, \* \* \* these Indians to-day farm less than they have at any time for the last fifteen years, and are less willing to do a day's work for the money than at any time for many years."

"There are very few who are not in debt. There is more drunkenness than at any time since I knew them. The gratuitous issues, along with their cash annuities and the lease money derived from leasing their allotments and renting their houses built for them by the Government, made their resources so large that they were not compelled to work for a living, and as they were not obliged to work they did not do so for recreation, and as they were idle they naturally fell into the habit of gambling and drinking as a pastime. \* \* \* I heartily indorse the policy proposed by the Indian Office of giving them an opportunity to earn their own living and in furnishing them plenty of work to do."

These extracts could be multiplied, but those given are sufficient to show the trend of sentiment of those having an experimental knowledge of the situation.

We will all agree—those of us who know much about Indians—that the sooner the time arrives when it will be unnecessary to issue rations to any of them, the sooner the best good of the Indian race will be attained.

The gentleman from Ohio suggests as a second step forward to do away with the reservation. He is in accord with the chairman in that regard, with the Indian Rights Association, with the board of Indian commissioners, with the Mohonk conference, with the Indian Office, with the Committee on Indian Affairs. We all think alike upon that. We believe the sooner the reservation is done away with, and the lands which are suitable for cultivation allotted to the Indians in severalty, the sooner the Indian will become a respectable, self-supporting citizen of our Republic.

We are progressing rapidly—rapidly when you consider the people with whom we have to deal—toward that goal. In the report of the Commissioner for this year, a part of which I will print in my remarks, is set forth in detail the progress which has been made in allotments during the last year, and it shows that thousands and thousands of allotments have been made during the year to individual Indians.

#### ALLOTMENTS AND PATENTS.

The progress in allotment work since the last annual report is as follows:

#### ALLOTMENTS ON RESERVATIONS.

During the year patents have been issued and delivered to the following Indians:

Kiowa, Comanche, and Apache, in Oklahoma	2,957
Omaha, in Nebraska	19
Sioux, Lower Brulé Reservation, in South Dakota	1
Sioux, Rosebud Reservation, in South Dakota	3,104
Wichita and affiliated bands, in Oklahoma	956
Winnebago, in Nebraska	268

Allotments have been approved by this office and the Department as follows:

Chippewa of Lake Superior, on the Bad River Reservation, Wis.	352
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Schedules of the following allotments have been received in this office, but have not been finally acted upon:

Sioux of the Cheyenne River Reservation, S. Dak.	359
Sioux of the Rosebud Reservation, S. Dak.	350

Mr. ALEXANDER. Will the gentleman allow me a question?

Mr. SHERMAN. Certainly.

Mr. ALEXANDER. How many reservations are there similar to the one the gentleman speaks of in the vicinity of Fort Defiance?

Mr. SHERMAN. Some part of nearly all the reservations is nearly as bad as the Navaho Reservation. My friend from Kansas [Mr. CURTIS], who has seen more of the reservations of the country than I have, tells me that all of the reservations in the Southwest, those in Arizona, New Mexico, Colorado, and Utah are very similar, some of them worse than the Navaho Reservation which I have described. The Navaho Reservation I described from personal observation, a personal visit made at a comparatively recent date.

Now, we are progressing toward allotment, allotment to all Indians individually, and are doing away with the reservation system; but we will not reach that point where all the Indian reservations are allotted to individual members of the tribe; I fear we will not reach it during the life of the youngest man upon the floor of this House to-day; but we hope to reach it; those who desire that the Indian shall become a self-supporting citizen will use every effort to reach that goal, and we welcome the assistance of the gentleman from Ohio in bringing about that result.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LITTLE. I will yield the gentleman such time as he desires.

Mr. SHERMAN. The distinguished gentleman from Ohio discusses as his third proposition the educational problem. We have spent vast amounts of money, Mr. Chairman, in educating the Indians. This bill carries an appropriation of \$3,000,000 for schools. We provide for the education not simply of A B C in the "three R's," reading, writing, and arithmetic, but we provide for the practical education in many, many ways. We maintain at Chillicothe a school where we teach agriculture. At Hampton there is taught the business of blacksmithing and wagon making, carpenter work, and all sorts of trades which the Indian is capable of mastering and which he will need, not only for his own support when he goes back to his reservation or his home, but which he will find of great value in elevating the other members of his tribe or his race.

The reservation school does much for the elevation of the younger Indian. It does more than to teach him to read and to write and to cipher. It is a civilizer, not merely an educator. It is the nonreservation schools that are manual-training schools; but in the reservation schools the Indians are taught the little homely ways of home life, which many of them never would be taught in their own homes, in their own cabins, or in their own tents or teepees.

The education that the Government has given the Indians during the last thirty years at the cost of numberless millions of dollars is, I believe, the most potential factor in elevating the Indian race, which my friend from Ohio admits is elevated to-day far above the position which it occupied twenty or thirty years ago. The percentage of Indians who to-day live in their homes is vastly greater than it was twenty years ago—out of sight beyond what it was thirty years ago. The percentage of Indians who to-day make their livelihood by tilling the soil is vastly greater than it was twenty-five years ago. And this advance has come from the help that the Government has given the Indians either in education in the school or in education at their homes.

And the education that the Government gives to the Indian is not confined within the walls of a schoolhouse, either on or off the reservation. We provide—and there is an appropriation of \$65,000 for that object in the bill now pending—farmers, practical farmers, who go about from reservation to reservation teaching the Indian how to plow, how to reap, how to care for their cattle, how to care for their crops, how to build houses, how to mend

wagons, how to do all the innumerable little "odds and ends" necessary to a successful farming life.

We provide an appropriation here of \$25,000 to employ matrons, who go about from house to house and reservation to reservation and teach the women and the girls of the Indian race the arts of housekeeping; show them how to cook, show them the necessary sanitary precautions to be taken to keep their homes healthy and to make them attractive to the male members of the family, teach them how to wash, teach them all the homely, everyday, necessary duties of housework. Twenty-five thousand dollars a year we spend for that object, and I believe we do not expend anything for the Indians from which a greater return is received for the outlay than we receive from this appropriation for the matrons.

I believe, Mr. Chairman, I have in a general way covered the main subjects which have been discussed with so much lucidity by the distinguished gentleman from Ohio. His desire is the desire of the members of the Indian Committee. His goal is the goal of the Commissioner of Indian Affairs, and I join with him in commendation of the gentleman who now occupies that position, as I do in commendation of his efficient and worthy and honorable predecessor. Not within the time that I have had to do with Indian affairs has the office been occupied by any other than a conscientious and an able and an industrious citizen of this country. It is so occupied to-day.

Doubtless during many years some frauds have crept into the Indian service. But, Mr. Chairman, tell me in what branch of the public service of this Government, or any other, fraud has never crept in. True, conditions have arisen here and there which we deplore, which we wish might not have arisen. But when conditions have been discovered which ought not to exist they have been stamped out; they have been corrected. An honest effort has been made to honestly administer the trusts imposed by Congress and by the laws with reference to the Indian tribes.

I agree with the distinguished gentleman from Ohio; we have been a liberal people; we have been good stewards; we have been faithful guardians, as a whole. Mistakes we have made; errors not only of judgment, but individual dishonesty has crept in. But whenever discovered it has been stamped out, and stamped out quickly; so that to-day the Indian service, as my distinguished friend from Ohio states, is on a plane higher than it has ever been before—is reaching forward, pressing forward, stepping forward toward the goal which he desires us to reach, and to which all of us, whether in or out of the halls of Congress who have the best good of the Indians at heart, or who have the honor of our country at heart, desire to attain.

Mr. GAINES of Tennessee. Will the gentleman allow me to make an inquiry before he takes his seat?

Mr. SHERMAN. Certainly.

Mr. GAINES of Tennessee. The gentleman from Ohio [Mr. BURTON] stated a few moments ago, I believe, that 100 per cent of the Stockbridge Indians were self-sustaining. Will the gentleman please state how that is, and why they are self-sustaining and others are not, and if they have been treated differently from others, what is the difference?

Mr. SHERMAN. There is the same difference between various Indian tribes that there is between white people. There are some that reach a higher plane of civilization than others, some that have lived nearer white people, that have been where they have seen how to work, have learned by observation, not simply by the teachings of a schoolroom or of an occasional visitor, and those tribes have advanced higher in civilization than others. Besides this, there are tribes which have been so located that they could obtain from the soil the necessities of life, and there are others that can not, because the soil will not produce without irrigation.

Mr. GAINES of Tennessee. I understand from the speech of the gentleman from Ohio [Mr. BURTON] that the reservation policy is that the white man is excluded from the reservation and the Indians are prohibited from going off the reservation. Assuming that intercourse with the white people enlightens the Indian and makes him self-sustaining, does not the gentleman think the reservation policy a bad policy?

Mr. SHERMAN. I think that at the earliest possible moment we should do away with all reservations and allot the lands in severalty to the Indians, providing in the allotment, of course, a certain time within which it will not be possible for the Indians to alienate their lands.

Mr. LITTLE. Mr. Chairman, I believe there is no one on this side of the House who desires to be heard; at least I have no notice of it. I shall desire to be heard for a short time in the five-minute debate, but I think there is no further desire for debate on this side of the House at this time, and I will depend upon the indulgence of the committee to extend my time as much as I desire under the five-minute rule.

Mr. SHERMAN. Mr. Chairman, I suggest, then, that by unanimous consent the general debate be closed, and that we proceed to the reading of the bill.

Mr. LITTLE. I have no objection.

The CHAIRMAN. The gentleman from Arkansas has one hour and seventeen minutes to his credit.

Mr. LITTLE. Yes; but I have no desire to use the time.

The CHAIRMAN. In the absence of objection, the Clerk will proceed to read the bill under the five-minute rule.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. DALZELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

- S. 7077. An act granting an increase of pension to Cyrus B. Norris;
- S. 6563. An act granting an increase of pension to William A. Dougan;
- S. 4466. An act granting a pension to Archibald McIntire;
- S. 2799. An act granting an increase of pension to Israel V. Hoag;
- S. 2259. An act granting a pension to Sarah J. Snook;
- S. 7003. An act granting an increase of pension to Sarah C. Merrell;
- S. 7060. An act granting an increase of pension to Ann M. Jackman;
- S. 6841. An act granting an increase of pension to Charles S. Boyington;
- S. 6415. An act granting an increase of pension to Samuel J. Ratcliffe;
- S. 4337. An act granting an increase of pension to Elizabeth Thompson;
- S. 6981. An act granting an increase of pension to Lorenzo P. Duncklee;
- S. 6982. An act granting an increase of pension to Linda F. Moulton;
- S. 6984. An act granting an increase of pension to Maria A. Marden;
- S. 6985. An act granting an increase of pension to George Cummings;
- S. 6367. An act granting an increase of pension to Edmund P. Fox;
- S. 4087. An act granting a pension to Lemuel Kingsbury;
- S. 3249. An act granting an increase of pension to Charles W. Scherzer;
- S. 4379. An act granting an increase of pension to George Davis;
- S. 4544. An act granting an increase of pension to Phineas L. Squires;
- S. 6694. An act granting an increase of pension to Burrell G. Wood;
- S. 6373. An act granting an increase of pension to Joseph D. Lockhart;
- S. 6530. An act granting an increase of pension to Austin L. Tapliff;
- S. 5991. An act granting an increase of pension to William Barrett;
- S. 5123. An act granting an increase of pension to James McMorrow;
- S. 5507. An act granting an increase of pension to Jarrett F. Rigg;
- S. 5932. An act granting an increase of pension to William Kirkpatrick;
- S. 3542. An act granting an increase of pension to William H. Shaw;
- S. 2256. An act granting an increase of pension to Andrew J. Pennel;
- S. 4760. An act granting an increase of pension to John Hamilton;
- S. 1939. An act granting an increase of pension to John M. Drake;
- S. 6431. An act granting an increase of Pension to James Greenman;
- S. 6641. An act granting an increase of pension to Sophie S. Shaffer;
- S. 6063. An act granting an increase of pension to Orson Nickerson;
- S. 3929. An act granting an increase of pension to L. A. Brace;
- S. 6731. An act granting an increase of pension to Benjamin N. Bond;
- S. 4807. An act granting an increase of pension to Emmett C. Hill;

- S. 1128. An act granting an increase of pension to Lyman Matthews;
- S. 6305. An act granting an increase of pension to James B. Taylor;
- S. 6096. An act granting an increase of pension to Hester A. R. Landers;
- S. 5568. An act granting an increase of pension to Emma R. Cropsey;
- S. 4029. An act granting a pension to Mary J. Parker;
- S. 2302. An act granting a pension to Rose Crummett;
- S. 6845. An act granting an increase of pension to Martin G. Cushing;
- S. 6668. An act granting an increase of pension to Charles Graham;
- S. 6623. An act granting an increase of pension to Gilbert E. Bushnell;
- S. 4429. An act granting a pension to Alvira Randall;
- S. 6798. An act granting an increase of pension to Charles F. Sheldon;
- S. 6842. An act granting an increase of pension to Stephen B. Swett;
- S. 14. An act granting a pension to George F. Howe;
- S. 2130. An act granting a pension to Margaret A. Munson;
- S. 6631. An act granting an increase of pension to Mitchell Hunt;
- S. 6632. An act granting an increase of pension to Frank Cleaves;
- S. 6795. An act granting an increase of pension to Hannah J. G. Hopkins;
- S. 6748. An act granting an increase of pension to Ann M. Haskell;
- S. 5006. An act granting a pension to Annie P. Pinney;
- S. 6413. An act granting an increase of pension to Harold P. Waldo;
- S. 2596. An act granting an increase of pension to Israel F. Barnes;
- S. 5053. An act granting a pension to Deborah Edwards;
- S. 4892. An act granting an increase of pension to John De-berrer;
- S. 5526. An act granting an increase of pension to Benjamin F. Cornman;
- S. 7076. An act granting an increase of pension to Charles L. Pinkham;
- S. 6769. An act to increase the limit of cost for the purchase of a site and the erection of a public building at Indianapolis, Ind.
- S. 6191. An act granting an increase of pension to Samuel L. Thompson;
- S. 6192. An act granting an increase of pension to Austin H. Patterson;
- S. 2591. An act granting an increase of pension to George W. McComb;
- S. 2626. An act granting an increase of pension to Ardenia Dillon; and
- S. 3632. An act granting an increase of pension to Frank E. Freeman.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 5835) granting an increase of pension to Joel C. Shepherd, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. SCOTT, and Mr. CARMACK as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 2806) granting an increase of pension to Laura S. Picking.

#### INDIAN APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

At the White Earth Agency, Minn., \$1,800.

Mr. BURTON. I move to strike out the last word. I desire to call the attention of the chairman of the committee to what I think is an error in the enumeration of these agencies in the second line on page 2. I wish to ask whether that number should not be 32 instead of 40? The number has been diminished somewhat from last year.

Mr. SHERMAN. The number has been diminished from that carried by the bill of last year and the total in the bill has been diminished.

Mr. BURTON. I think it will appear that the number is not 40 but 32.

Mr. SHERMAN. Mr. Chairman, I think an error has been made in printing. The gentleman from South Dakota [Mr. BURKE] desires to offer an amendment, and after that is disposed of then I will offer an amendment to make any change necessary in the

total number, and that will cover the correction suggested by the gentleman from Ohio.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HEPBURN having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills and joint resolutions of the following titles; in which the concurrence of the House was requested:

S. 6486. An act to provide for the appropriate marking of the graves of the soldiers and sailors of the Confederate army and navy, and for other purposes;

S. 6569. An act to authorize the construction of a bridge across the Missouri River at a point to be selected within 10 miles of the corporate limits of the city of St. Charles, in St. Charles County, Mo., and to make the same a post route;

S. 1168. An act to authorize the appointment of Edward L. Bailey as captain of infantry, United States Army, and to place him on the retired list;

S. 4905. An act authorizing the President to nominate Lieut. Commander Arthur P. Osborn to be a commander on the retired list of the Navy;

S. 6278. An act to extend the provisions of chapter 8, title 32, of the Revised Statutes of the United States, entitled "Reservation and sale of town sites on the public lands," to the ceded Indian lands in the State of Minnesota;

S. 6408. An act to provide a depot for the Revenue-Cutter Service;

S. R. 156. Joint resolution dedicating to the city of Columbus, in the State of Ohio, for uses and purposes of the public streets, part of property conveyed to the United States by Robert Neil by deed dated February 17, 1863, recorded in deed book 76, page 572, etc., Franklin County records; and

S. R. 146. Joint resolution to extend the time for construction of the Akron, Sterling and Northern Railroad, in Alaska.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 14837. An act granting a pension to John H. Roberts;

H. R. 12902. An act granting a pension to Julia Lee;

H. R. 13839. An act granting an increase of pension to John W. B. Huntsman;

H. R. 9734. An act granting an increase of pension to John P. Peterman;

H. R. 8247. An act granting an increase of pension to Francis M. McCoy;

H. R. 7779. An act granting an increase of pension to William Belk;

H. R. 10214. An act granting an increase of pension to Henry Thomas;

H. R. 9153. An act granting an increase of pension to John D. Binford;

H. R. 629. An act granting a pension to Caroline Fitzsimmons;

H. R. 15999. An act granting an increase of pension to William F. Loomis;

H. R. 7385. An act granting an increase of pension to John Kelley;

H. R. 7130. An act granting a pension to Elizabeth Lowden;

H. R. 10350. An act granting a pension to Rebecca Piper;

H. R. 15398. An act granting an increase of pension to Andrew W. Miller;

H. R. 3302. An act granting an increase of pension to Henry G. Wheeler;

H. R. 14256. An act granting an increase of pension to Jessie R. Dewstoe;

H. R. 15789. An act granting an increase of pension to Benjamin Cooper;

H. R. 14836. An act granting a pension to Rebecca L. Chambers;

H. R. 14273. An act granting a pension to John H. Whidden;

H. R. 13997. An act granting an increase of pension to Lyman A. L. Gilbert;

H. R. 15113. An act granting an increase of pension to John Murphy;

H. R. 15114. An act granting an increase of pension to Alonzo F. Canfield;

H. R. 15112. An act granting a pension to Matilda A. Marshall;

H. R. 13353. An act granting an increase of pension to George Thompson;

H. R. 13463. An act granting an increase of pension to Hiram A. Hober;

H. R. 10757. An act granting an increase of pension to Lewis Fishbaugh;

H. R. 15648. An act granting an increase of pension to Lester H. Salsbury;

H. R. 7766. An act granting an increase of pension to John Huffman;

H. R. 16011. An act granting an increase of pension to Morton A. Leach;  
 H. R. 15396. An act granting an increase of pension to George H. Stone;  
 H. R. 13200. An act granting an increase of pension to Charles B. Greely;  
 H. R. 14913. An act granting an increase of pension to Ann M. Morrison;  
 H. R. 14373. An act granting an increase of pension to William H. Loyd;  
 H. R. 11485. An act granting a pension to Julia McCarthy;  
 H. R. 8721. An act granting an increase of pension to Joseph Westbrook;  
 H. R. 15416. An act granting an increase of pension to William Thompson;  
 H. R. 15385. An act granting an increase of pension to Alfred J. Sellers;  
 H. R. 10319. An act granting an increase of pension to J. Banks Hunter;  
 H. R. 9776. An act granting an increase of pension to Alice A. Fitch;  
 H. R. 14751. An act granting an increase of pension to Regina F. Palmer;  
 H. R. 14265. An act granting an increase of pension to Helen N. Packard;  
 H. R. 13955. An act granting an increase of pension to Jesse A. McIntosh;  
 H. R. 12413. An act granting an increase of pension to William Zickerick;  
 H. R. 7680. An act granting an increase of pension to David C. Yakey;  
 H. R. 5718. An act granting an increase of pension to James M. Blades;  
 H. R. 9611. An act granting a pension to Maria M. C. Smith;  
 H. R. 11339. An act granting a pension to Augustus Blount;  
 H. R. 15729. An act granting an increase of pension to Abner M. Judkins;  
 H. R. 15229. An act granting a pension to James T. Jackson;  
 H. R. 12215. An act granting an increase of pension to Henry M. Posey;  
 H. R. 11694. An act granting an increase of pension to Dennis F. Andre;  
 H. R. 5007. An act granting an increase of pension to James W. Messick;  
 H. R. 12877. An act granting an increase of pension to James N. Gates;  
 H. R. 8447. An act granting an increase of pension to John McArthur;  
 H. R. 12683. An act granting a pension to Sarah L. Bates;  
 H. R. 12812. An act granting an increase of pension to Otis T. Hooper;  
 H. R. 15441. An act granting an increase of pension to Josiah Stackpole;  
 H. R. 15682. An act granting an increase of pension to Jared P. Hubbard;  
 H. R. 14185. An act granting an increase of pension to Albert Blood;  
 H. R. 15433. An act granting an increase of pension to William Heywood;  
 H. R. 15874. An act granting an increase of pension to Rebecca R. Greer;  
 H. R. 15063. An act granting an increase of pension to William R. Thompson;  
 H. R. 15549. An act granting an increase of pension to John Wright;  
 H. R. 12981. An act granting a pension to Sarah A. Waltrip;  
 H. R. 13127. An act granting a pension to Nancy Works;  
 H. R. 13472. An act granting an increase of pension to Lewis E. Wilcox;  
 H. R. 5792. An act granting an increase of pension to Andrew J. Reeves;  
 H. R. 14262. An act granting an increase of pension to Harriet Robinson;  
 H. R. 13262. An act granting an increase of pension to James M. Spencer;  
 H. R. 4437. An act granting an increase of pension to Absalom Case;  
 H. R. 3907. An act granting an increase of pension to John A. Sare;  
 H. R. 1617. An act granting an increase of pension to Margaret A. Osborn;  
 H. R. 13233. An act granting a pension to William A. Nelson;  
 H. R. 2783. An act granting an increase of pension to William Dixon; and  
 H. R. 8175. An act granting an increase of pension to John W. Covey.

The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House was requested:

H. R. 11280. An act granting an increase of pension to Henry J. Feltus;  
 H. R. 13701. An act granting an increase of pension to Milton Noakes;  
 H. R. 16224. An act granting an increase of pension to William Montgomery;  
 H. R. 623. An act granting a pension to Susan Kennedy;  
 H. R. 13324. An act granting a pension to Cora E. Brown;  
 H. R. 13944. An act granting a pension to Margaret Ann West;  
 H. R. 10826. An act granting an increase of pension to Josiah S. Fay;  
 H. R. 4923. An act granting a pension to William L. Whet-sell;  
 H. R. 7815. An act granting a pension to Nancy A. Killough;  
 H. R. 11197. An act granting a pension to the minor children of Daniel J. Reedy;  
 H. R. 15069. An act granting an increase of pension to Daniel P. Marshall;  
 H. R. 9658. An act granting an increase of pension to Robert Stewart;  
 H. R. 12563. An act granting an increase of pension to Horace Fountain; and  
 H. R. 8152. An act granting an increase of pension to William S. Hutchinson.

#### INDIAN APPROPRIATION BILL.

The committee resumed its session.

Mr. BURKE of South Dakota. I desire to offer the following amendments, which are amendments proposed by the Committee on Indian Affairs.

The Clerk read as follows:

After line 11, page 2, insert "at the Crow Creek Agency, S. Dak., \$1,500."  
 After line 10, page 3, insert "at the Lower Brule Agency, S. Dak., \$1,400."  
 After line 2, page 4, insert "at the Sac and Fox Agency, Iowa, \$1,000."  
 After line 6, page 4, insert "at the Sisseton Agency, S. Dak., \$1,500."  
 After line 18, page 4, insert "at the Yankton, S. Dak., Agency, \$1,600."  
 In line 19, page 4, strike out the word "two" and insert the word "eight;" strike out the word "seven" and insert the word "eight."

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. LACEY having taken the chair as Speaker pro tempore, a message from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who informed the House that the President had approved and signed bills of the following titles:

On January 23, 1903:  
 H. R. 622. An act granting a pension to Dicey Woodall;  
 H. R. 11594. An act granting an increase of pension to Sarah E. Morrow;  
 H. R. 14416. An act granting an increase of pension to Albert H. Phillips;  
 H. R. 14477. An act granting an increase of pension to John W. Bruff;  
 H. R. 14478. An act granting an increase of pension to Luman Fuller;  
 H. R. 14957. An act granting an increase of pension to Mathias Custers; and  
 H. R. 15852. An act granting an increase of pension to Cyrus G. Norton.  
 On January 24, 1903:  
 H. R. 6326. An act for the relief of Hiram G. Walker.

#### INDIAN APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The question is on the amendments. Is a separate vote demanded upon any amendment? If not, the Chair will submit the amendments in gross.

Mr. LITTLE. I desire to ask if these are the committee amendments?

Mr. BURKE of South Dakota. This is the committee amendment adopted by the Committee on Indian Affairs.

Mr. BURTON. Mr. Chairman, I desire to oppose that amendment. One of the most commendable features in the management of the Indian Bureau is that they have lopped off a number of these superfluous Indian agencies. I should like to inquire the number of the Indians at that agency in Iowa. It is only a few hundred.

Mr. SHERMAN. About 400.

Mr. BURTON. That is a good illustration. There is an agency in Tama County, Iowa, where there are about 400 Indians in a fair state of civilization. They have a school there. They are surrounded by civilized influences and are making good progress. There is a provision that the superintendent of the school may do the work of the Indian agent.

The Commissioner of Indian Affairs has recommended that that agency, for one, be lopped off. I have no doubt that that is a good illustration of all the rest. Let us just see what we would be doing. We would be putting an Indian agent where there is already an Indian school with a superintendent and a large number of assistants, and pay him a salary of \$1,500 just to take care of less than 400 Indians. I do not like to intrude my judgment upon that of the committee here, but I am satisfied, from conversation with officials in the Indian Department and others, that it would be a backward step to restore any of these agents included in the amendment. It would be a very good plan to have a time detector or some other device provided for those already in the bill, so that we may know where they are and what they are doing.

Mr. BURKE of South Dakota. Will the gentleman allow me to ask him a question?

Mr. BURTON. Certainly.

Mr. BURKE of South Dakota. Are you aware of the fact that under the present law, as the law exists, that the Commissioner of Indian Affairs and the Secretary of the Interior may designate a superintendent of schools if he thinks there is any need for one at the agency?

Mr. BURTON. Certainly.

Mr. BURKE of South Dakota. Now, that is the law at the present time, and the Committee on Indian Affairs, in considering this question, determined that perhaps it would not be advisable to do away with the appropriation for agents at this time, in view of the fact that if it should appear that the agents were necessary an agent might be appointed, and at all of these agencies but one there is at the present time an agent.

Mr. BURTON. I am perfectly aware of that. I would like to ask the gentleman a question in turn. Has not the Commissioner of Indian Affairs recommended that these agencies be discontinued?

Mr. BURKE of South Dakota. I think the Commissioner of Indian Affairs has.

Mr. BURTON. Now, just a few words more. I think, Mr. Chairman, that we ought to decide right here on these items, and what we will do with them, whether we will go counter to the recommendations of the Commissioner of Indian Affairs, who is best fitted to know the needs of the service, and who has recommended the discontinuance of these agencies. Shall we take a backward step and put them in at their respective salaries, particularly when one of them supervises less than 400 Indians.

The CHAIRMAN. The question is on the amendment proposed by the committee.

The question was taken, and the Chairman announced that the yeas appeared to have it.

Mr. BURKE of South Dakota. Division, Mr. Chairman.

The committee divided, and there were—ayes 34, yeas 15.

Mr. BURTON. Mr. Chairman, I ask for tellers on that vote.

The question was taken on ordering tellers.

The CHAIRMAN. Nineteen gentlemen have arisen—not a sufficient number, and tellers are refused.

So the amendment was agreed to.

Mr. SHERMAN. I move, in line 2, page 2, to strike out the word "forty" and insert the word "thirty-seven."

The Clerk read as follows:

On page 2, line 2, strike out "forty" and insert "thirty-seven."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For contingencies of the Indian Service, including traveling and incidental expenses of Indian agents and of their offices, and of the Commissioner of Indian Affairs; also traveling and incidental expenses of 5 special agents, at \$3 per day when actually employed on duty in the field, exclusive of transportation and sleeping-car fare, in lieu of all other expenses now authorized by law, and expenses of going to and going from the seat of government, and while remaining there under orders and direction of the Secretary of the Interior, for a period not to exceed twenty days; for pay of employees not otherwise provided for, and for pay of the 5 special agents, at \$2,000 per annum each, \$40,000. *Provided*, That \$5,000 of this sum, or so much thereof as in the discretion of the Secretary of the Interior may be deemed necessary, may be used for the introduction of the willow industry among Indian tribes and on Indian reservations where it may be deemed feasible.

Mr. SHERMAN. Mr. Chairman, I move to strike out, beginning with the word "*Provided*," in line 5, all of lines 6, 7, 8, 9, and 10.

The Clerk read as follows:

On page 7, beginning with the word "*Provided*," in line 5, strike out all down to and including the word "*feasible*," in line 10.

Mr. SHERMAN. I do that, Mr. Chairman, because the item was in last year's bill—put on in the floor, if I remember aright—and the Commissioner of Indian Affairs informs me nothing was done under it.

Mr. LITTLE. My recollection is that it was stricken out in the committee, but was put in by an error in the printing.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For expenses of the commission of citizens serving without compensation, appointed by the President under the provisions of the act of April 10, 1889, \$4,000.

Mr. SHERMAN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 7, line 14, after the words "four thousand dollars," insert:

"Of which sum an amount not to exceed \$300 may be paid for the rent of an office for said commission: *And it is provided further*, That from the appropriation already made for the expenses of this commission for the current fiscal year ending July 1, 1903, an amount not to exceed \$300 may be paid for office rent for that year."

Mr. SHERMAN. The purpose of that amendment is this: The Auditor of the Treasury has decided that no part of the appropriation can be used for office rent. This is to correct that condition.

The amendment was agreed to.

The Clerk read as follows:

To enable the Secretary of the Interior to employ practical farmers and practical stockmen in addition to the agency farmers now employed, at wages not exceeding \$35 each per month, to superintend and direct farming and stock raising among such Indians as are making effort for self-support, \$125,000.

Mr. BURTON. Mr. Chairman, I move in line 20 to strike out "one hundred and twenty-five" and substitute "seventy-five."

The Clerk read as follows:

In line 20, page 7, strike out "one hundred and twenty-five" and insert "seventy-five."

Mr. BURTON. Mr. Chairman, \$75,000 is the amount in the last bill, and it seems to me sufficient for this service. I will say, more than that, I feel disposed to oppose every item here which involves an increase of expenditure unless some very valid reason can be given. In the bill of the preceding year it was \$75,000. In 1901 it was \$65,000; in 1900, the same amount as in 1901. There was a provision some years ago that these farmers should be selected either from the State in which they are to serve or from some State bordering upon it. For some reason that seems to have been omitted.

Now, we have a system of schools which is attended by something over 20,000 Indian pupils. There is an elaborate course of six years in agriculture as a part of their course of study. One of two things ought to be done. Either you ought to abandon the elaborate, expensive, and lengthy course of instruction in agriculture for students or you ought to strike this out. This \$125,000 would provide for something like 150, if they are employed the year round, to go about from reservation to reservation. Let us bear in mind that on each reservation there are instructors and agents and men who are paid large salaries to give this very kind of teaching.

Where are we tending in this? Are we to have Indian instruction on every farm on which there is an Indian farmer? The instructors in farming would be able under this provision to give to each Indian farm a certain amount of time each year. There are, according to the census statistics, 19,800 Indian farms. This would enable him to visit every one in a year. I submit that not only was this a proposition of doubtful propriety in the first instance, but it certainly should not be increased from \$75,000.

Mr. SHERMAN. Mr. Chairman, I hardly see how an appropriation that provides for 150 men would furnish 1 instructor for each farmer in a population of 175,000, but I am not a mathematician. The gentleman from Ohio I guess is, or he could not figure that out. The Commissioner of Indian Affairs, in his statement to the subcommittee which prepared this bill, was exceedingly urgent that this increased item be included in the bill. In his judgment there is no branch of the service that does more practical good than these farmers, practical farmers. The Commissioner states that it is not possible for the Indian agent to go all over his reservation once a year, or perhaps once in two years, and if he did he could simply make a cursory and hurried visit to various individuals; and the desire is to locate these farmers where each one would have 30, 40, or 50 families upon whom he could make frequent visits during the entire year and give them constant instruction.

I think that my friend's argument that because we are teaching the young Indians of the various tribes in the schools that therefore it is unnecessary to teach those who are left at home on the reservations—those beyond school age—anything, is not well founded. I believe, Mr. Chairman, and the Indian Commissioner believes, that there is no expenditure provided for in this bill that does more practical good than this and the appropriation for matrons, and there is nothing for which he is more urgent. I trust the amendment offered by the gentleman from Ohio will not prevail.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Ohio.

The amendment was considered, and rejected.

The Clerk read as follows:

For permanent annuity for support of light horsemen, per thirteenth article of treaty of October 18, 1820, and thirteenth article of treaty of June 22, 1855, \$600.

For permanent annuity for support of blacksmith, per sixth article of treaty of October 18, 1820, ninth article of treaty of January 20, 1825, and thirteenth article of treaty of June 22, 1855, \$600.

Mr. BURTON. Mr. Chairman, I move to strike out the last three words. I do so for the purpose of asking the chairman of the committee what that proviso means—what is intended by "light horsemen." Was it originally a military or police provision?

The CHAIRMAN. That is my understanding, and it is used for that purpose still.

Mr. BURTON. I would like to ask if he has any information how the position is filled at this time, by a white man or Indian, or whether it is filled at all.

Mr. SHERMAN. Whether it is filled at the present time I can not say. It was filled two years ago. Frankly, I at one time went over with great care all the treaty provisions with the Commissioner and his chiefs of the law division and of the finance division, so that I knew just who were employed and for what, but the data I have not at hand here now. Whether this particular position is now filled, and whether by a white man or an Indian, I am unable to say. It is, however, a treaty provision.

Mr. BURTON. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

To enable the Commissioner of Indian Affairs, under the direction of the Secretary of the Interior, to carry out an act entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889, namely, the purchase of material and employment of labor for the erection of houses for Indians; for the purchase of agricultural implements, stock, and seeds, breaking and fencing land; for payment of expenses of delegations of Chippewa Indians to visit the White Earth Reservation; for the erection and maintenance of day and industrial schools; for subsistence and for pay of employees; for pay of commissioner and his expenses, and for removal of Indians and for their allotments, to be reimbursed to the United States out of the proceeds of sale of their lands, \$150,000.

Mr. BURTON. Mr. Chairman, I may not be correctly informed in regard to this provision, but I should like to be corrected if I am not. As I understand, a treaty was made with these Chippewas to the effect, first, that these lands should be sold, the Government holding the proceeds as trustee, and that when the amount should reach \$3,000,000 there should be paid to them interest each year at 5 per cent. This would give them \$150,000 a year. There is a further provision that until this fund realized from the sale of the lands should reach \$3,000,000 these Indians should be paid \$90,000 per annum, to be reimbursed from the balance in excess of the \$3,000,000. Now, if such be the case, why should not this payment of \$90,000 per annum be abandoned, or has there been a further agreement or contract with the Indians which justifies the payment of both amounts in one year?

Mr. SHERMAN. Has the gentleman a copy of the treaty before him?

Mr. BURTON. I have not. It is to be found in the statutes of 1889, being volume 25 of the Statutes at Large, page 645.

Mr. SHERMAN. In section 7 of that act the gentleman will find this language:

The United States shall, for the benefit of said Indians, advance to them as such interest as aforesaid the sum of \$90,000 annually, counting from the time when the removal and allotments provided for in this act shall have been made until such time as said permanent fund, exclusive of the deductions hereinbefore provided for, shall equal or exceed the sum of \$3,000,000.

Mr. BURTON. This is the point that I am making—that the \$90,000 a year was a temporary provision, to continue until the fund should equal or exceed \$3,000,000.

Mr. SHERMAN. That is right.

Mr. BURTON. And then they were to receive their \$150,000.

Mr. SHERMAN. That is right.

Mr. BURTON. But here you have a provision for the payment of both the \$90,000 and the \$150,000.

Mr. SHERMAN. The \$150,000 is discretionary; there is no doubt about that under the terms of the treaty as I have read it. But if we appropriate for their needs and make the payment reimbursable, then when this fund is of sufficient amount (if it ever is) to reimburse us, we shall receive the money back again. We are advised that the condition of those Indians is such that we must come to their relief by an appropriation or they will suffer or starve. Now, the simple question is whether we shall make provision in this form, it being possible, although not certain, that the fund may reach an amount sufficient to reimburse us; or if we do not put it in this form, then shall we put it in as a gratuity; or shall we let the Indians starve?

Mr. BURTON. Does the gentleman know the amount of that fund at this time?

Mr. SHERMAN. Yes. The amount is \$1,233,584.12.

Mr. BURTON. Do I understand that both of these payments are to be reimbursed to the United States from the proceeds—

Mr. SHERMAN. Yes; when it reaches \$3,000,000.

Mr. BURTON. Could not this question arise: If these payments are made without agreement or treaty, might not the defense be raised by the Indians that the amount is not reimbursable?

Mr. SHERMAN. But it is made so under the treaty. Here is the provision:

Provided, That Congress may, in its discretion, from time to time during the said period appropriate, for the purpose of promoting civilization and self-support among the said Indians, a portion of said principal sum, not exceeding 5 per cent thereof.

Mr. BURTON. That is, of the annuity; it is not of the principal sum, is it?

Mr. SHERMAN. Oh, yes; it is of the principal sum. It so states.

Mr. BURTON. The sole question in my mind is whether there is authority to disburse this amount and then obtain reimbursement from the proceeds of these lands.

Mr. SHERMAN. I think the gentleman from Ohio would not have the least question about that if he would read this statute confirming the treaty. I shall be glad to hand the book to the gentleman. By the language of that provision, which I have just read, we are expressly authorized in our discretion to appropriate of the principal sum, not of the interest—

Mr. BURTON. Does the gentleman understand that language as meaning 5 per cent of the amount on hand (which is now about \$1,000,000) or 5 per cent of the ultimate amount?

Mr. SHERMAN. I understand 5 per cent of the \$3,000,000; and it seems to me that the \$3,000,000 will probably be eventually exhausted with these 5 per cent appropriations.

Mr. BURTON. Is it not true that the \$3,000,000 is an amount which may be realized, on the one hand, or may never be realized? You have realized as yet only about \$1,000,000, as you say.

Mr. SHERMAN. Exclusive of expenses, a million and a quarter.

Mr. BURTON. What basis have you to compute this 5 per cent as on the \$3,000,000, when that is an amount you may never obtain?

Mr. SHERMAN. The basis is 5 per cent on the principal sum (which the statute fixes at \$3,000,000). As a matter of fact, the administration of the law relating to timber upon that reservation has been very faulty, to use a mild term. In the closing days of the last session of Congress the statute was amended by a bill commonly called the Morris bill, under which a different method is adopted in disposing of the timber lands, and under which the Indian Office or the Land Office, I do not remember which at this minute, estimated that we would receive something over \$10,000,000 in all human probability, for the timber.

Mr. BURTON. On the assurance of the gentleman from New York I will withdraw the amendment.

The CHAIRMAN. The gentleman from Ohio withdraws the amendment, and the Clerk will read.

The Clerk read as follows:

For pay of physician, 2 teachers, 2 carpenters, 1 miller, 2 farmers, a blacksmith, and engineer, per seventh article of the treaty of May 10, 1838, \$9,000; in all, \$99,000.

Mr. BURTON. I move to strike out the last four words. I should like to ask the chairman of the Committee on Indian Affairs how this \$90,000 for subsistence and civilization is to be expended?

Mr. SHERMAN. Under the terms of the agreement, that is disbursed in the discretion of the Secretary of the Interior.

Mr. BURTON. I would call the attention of the chairman of the committee to the fact that this seems a considerable amount. There are only 1,396 persons in this tribe, and this first item is somewhat in excess of \$60 apiece.

Mr. SHERMAN. Well, it is a treaty stipulation. It is not a gratuity.

Mr. BURTON. Is it not a treaty stipulation in which the amount to be paid is left in a measure discretionary with the President or the Secretary of the Interior, according to their necessities, or is it an absolute amount?

Mr. SHERMAN. I think it is not an absolute amount; I think it is for their subsistence and civilization.

Mr. BURTON. Could the chairman of the committee state whether this is an increase or a decrease from the amount of the previous year?

Mr. SHERMAN. It is neither. It is the same that it has been for several years.

Mr. BURTON. I want to call the attention of the chairman of the committee also to the fact that, appearing on page 692 of the report of the Commissioner of Indian Affairs for the year 1901, not one person on this agency sustains himself by labor in civilized pursuits; none by hunting, fishing, or root gathering; that 100 per cent subsist by Government rations.

Mr. SHERMAN. That 100 per cent is pretty nearly all of them.

Mr. BURTON. It would seem that 100 per cent would include them all.

Mr. SHERMAN. Yes.

Mr. BURTON. And I want to say, while I shall not press this amendment, it seems to me it is a very dangerous experiment to continue appropriating something over \$60 per head. It is nearer seventy when you count in the amount for physician, 2 teachers, 2 carpenters, 1 miller, 2 farmers, a blacksmith, and an engineer. When we have for twenty-five years and more been expending that amount, and there is not a single self-supporting Indian on the whole reservation, according to the report of the Commissioner of Indian Affairs, it seems to me it is not a good thing to continue.

I want to call attention to another fact, that there are provided here 2 carpenters; 1 miller, 2 farmers, a blacksmith, and an engineer; and I can not see the necessity for a blacksmith or two farmers, when the Indians belonging to the agency do no farming themselves. It would seem that this provision supported those two farmers in lonely isolation there for no especially good purpose.

Mr. SHERMAN. Mr. Chairman, it would appear that there might be some improvement in the administration of this provision, in the expenditure of this money; that it might be possible, by adopting the methods that have been adopted in the Sioux country, to advance these Indians. It appears from the report the gentleman has read that they have not advanced; but the amount, I believe, is necessary for their maintenance at the present time. The Indian Office so declares to the committee, and it is the same amount that has been appropriated, as the gentleman states, for some time. I think it is more than likely, if the attention of the office is directed to this particular item and a suggestion made that the policy adopted in the Crow country be applied here, that they will attempt to do it.

The CHAIRMAN. Does the gentleman from Ohio withdraw his amendment?

Mr. BURTON. I withdraw the amendment.

The Clerk read as follows:

#### POTAWATOMIES.

For permanent annuity, in silver, per fourth article of treaty of August 3, 1795, \$357.80;

For permanent annuity, in silver, per third article of treaty of September 30, 1809, \$178.90;

For permanent annuity, in silver, per third article of treaty of October 2, 1818, \$354.50;

For permanent annuity, in money, per second article of treaty of September 20, 1828, \$715.00;

For permanent annuity, in specie, per second article of treaty of July 29, 1829, and second article of treaty of September 20, 1828, \$5,724.77;

For permanent provision for payment of money in lieu of tobacco, iron, and steel, per second article of treaty of September 20, 1828, and tenth article of treaties of June 5 and 17, 1846, \$107.34;

For permanent provision for three blacksmiths and assistants, and for iron and steel for shops, per third article of treaty of October 16, 1826; second article of treaty of September 20, 1828, and second article of treaty of July 29, 1829, \$1,008.99;

For permanent provision for 50 barrels of salt, per second article of treaty of July 29, 1829, \$50;

For interest on \$230,064.20, at 5 per cent, in conformity with provisions of article 7 of treaties of June 5 and 17, 1846, \$11,508.21; in all, \$20,541.11.

Mr. BURTON. Mr. Chairman, I move to strike out that portion of the bill for the Potawatomes, beginning at line 20, page 15, and ending with line 9 on page 17. This provision more than almost any other in the bill shows how little effort has been made by the Indian Department to meet changed conditions. It shows the absolute necessity of entering into new agreements with the Indian tribes and making the policy of the Government more progressive. Now, here is the first statement in the clause:

For permanent annuity, in silver, per fourth article of the treaty of August 3, 1795, \$357.80.

The reason this was inserted is clear enough, because in 1795 silver was the metallic money in use and the paper money was not of stable value. This annuity of \$357.80 was to be paid in silver. Now, then, think of the absurdity of carrying along that provision at this time. I do not know how it may be. It may be the Indian agent solemnly takes up the \$357.80 in silver coin and pays the Indians according to the provisions of a treaty 107 years old.

Mr. LACEY. If the gentleman will permit me to interrupt him, on the absurdity of the payment in silver, I will state that from 1861 until the resumption of specie payments it was made in silver, when there was a very large premium; and it is therefore carried in this form, because that was the agreement; and so long as silver is to remain as good as gold it is not hurting anybody, but is simply carrying out to the letter the terms of an agreement made a long time ago.

Mr. SHERMAN. The agreement was modified in 1818, and in that modified agreement there was the express provision that all the annuities continuing should be paid in silver. As a matter of fact all these payments are now made by check, but are we to strike it from this bill and say how we are to pay it before the Indians or we ask a modification of the agreement?

Mr. BURTON. Why not have expressed in the bill just exactly what you are doing?

Mr. SHERMAN. This wording follows the condition of the agreement.

Mr. BURTON. I give credit to the gentleman's fondness for

tradition and for history in putting it in. I am only illustrating the absurdity of continuing the provision.

Mr. SHERMAN. The wording of the agreement ought to be followed.

Mr. BURTON. It is perfectly absurd.

Mr. SHERMAN. The wording may be absurd, but not following it.

Mr. BURTON. But the gentleman's committee ought to have changed it.

Mr. SHERMAN. I acknowledge the absurdity of the situation, but as long as the agreement stands the words should be here, and if the Indians are willing to accept instead of silver a check or draft it is all right. My understanding is that in fact it is so paid.

Mr. BURTON. On page 16, on lines 18 to 24, is this clause:

For permanent provision for three blacksmiths and assistants and for iron and steel for shops per third article of treaty of October 16, 1826; second article of treaty of September 20, 1828, and second article of treaty of July 29, 1829, \$1,008.99.

Now, this tribe has dwindled to comparatively small numbers and has no occupation for three blacksmiths; and my information is it was provided that one of these blacksmiths should be maintained in the city of Chicago. The provision was made when Chicago was an outpost. I can not conceive why it is necessary to have a blacksmith for them in the city of Chicago.

Mr. MANN. There is plenty of room for him there.

Mr. BURTON. Yes; you need more blacksmiths and fewer of other occupations.

Mr. MANN. I may call the gentleman's attention to the fact that the Potawatomes claim to own all the lake front of Chicago, and they may need a great many blacksmiths before they get possession of the property.

Mr. BURTON. The Commissioner of Indian Affairs writes that there are not three any longer. There is one and an assistant; and yet this bill is carrying the provision for three blacksmiths. The terms of the treaty and the terms of the bill both alike are followed, by having one blacksmith and one assistant. That is followed by the provision, "For permanent provision for 50 barrels of salt, per second article of treaty of July 29, 1829, \$50." I wonder if that salt is sent out to them now. What I maintain is that this bill is not a proper place to show the history of the Indian tribes. It should set forth for what we are making appropriations now, and be made to conform to present conditions.

Mr. SHERMAN. Let me say with reference to that one item of making provision for 50 barrels of salt. That provision I find has been carried in the bill for something like \$200 for a great many years—until five or six years ago, I think. Early in my service on the Indian Committee I looked over the various treaty items. There was this provision for 50 barrels of salt. It was in fact furnished or the cash given to the Indians. The item has been the same in amount for many years. In changing the item we got the price of salt per barrel at Chicago market, and continued it since at \$50. The present price may be a little less now in this market than it was then. These various items have been gone over at one time and another with a good deal of care by the Indian committee. About the particular one that refers to the blacksmith I have no present recollection.

Mr. BURTON. I have a letter from the Commissioner on Indian Affairs, in which he states that there are two, and at least the assistant is an Indian; whether the principal one is an Indian or not I do not know.

Mr. SHERMAN. I have sent for the treaty to which the gentleman refers, and I find that the treaty provides for a blacksmith, not in Chicago, but "by the treaty of Chicago."

Mr. BURTON. Is it in the treaty that the blacksmith shop shall be maintained at Chicago?

Mr. SHERMAN. I have the treaty before me, but I have not time to run through the whole of it. The first item I come to provides for a blacksmith, as provided in a former treaty—"the treaty of Chicago."

Mr. BURTON. I think it is in a later treaty that it shall be maintained at Chicago.

Mr. MANN. I desire to ask the gentleman from Ohio if it is his intention to strike at the industries of Chicago by doing away with this blacksmith shop? [Laughter].

Mr. BURTON. Well, I am inclined to think that Chicago could get along without the blacksmith shop being provided for in the Indian appropriation bill.

Mr. MANN. If we have a right to it we want it.

Mr. SHERMAN. I assume that the gentleman from Ohio does not intend to press his amendment.

Mr. BURTON. Oh, no, I withdraw the amendment.

The Clerk read as follows:

Bannocks: For pay of physician, teacher, carpenter, miller, engineer, farmer, and blacksmith, as per tenth article of treaty of July 3, 1868, \$5,000; in all, \$11,000.

Mr. BURTON. Mr. Chairman, I move to strike out the provision from line 9, extending to line 12, page 20. I would like to ask the gentleman whether provision can be found in this treaty referred to for the maintenance of a physician, teacher, carpenter, miller, engineer, etc., or whether this is a gratuitous appropriation made in pursuance of the general plan for education. I have given a hasty examination to this treaty—and I have not been able to give much time to any of them—but it seems to be peculiarly drawn. There is an expression "that the United States shall furnish a physician, teachers, carpenters, etc., as herein provided," but I did not find in any other portion of the treaty an affirmative provision for these teachers. There is in section 3 a provision for houses for all the employees named.

Mr. SHERMAN. I find my reference to this to be 15 of the Statutes at Large, section 10, "United States agrees to furnish annually a physician, teacher, carpenter, miller, engineer, farmer, blacksmith as herein contemplated," referring to the treaty that preceded the enacting clause, page 1, further provides that such provision shall be made from time to time as will be sufficient to employ such persons.

Mr. BURTON. I want to call attention to the fact that I question whether any affirmative provision can be found in that treaty for the furnishing of these respective employees.

Mr. SHERMAN. It is found in section 10 of that treaty, page 936, of the Indian treaties.

Mr. BURTON. That is what the gentleman has just read.

Mr. SHERMAN. No; I read from the statute. The United States agrees to furnish to the Indians herein contemplated—

Mr. BURTON. Where is the provision referred to as "herein contemplated?"

Mr. SHERMAN. I presume it is in the preceding section.

Mr. BURTON. I would like to call attention of the gentleman to this and have him ask the Department to examine that treaty and see whether there is any affirmative provision of this kind.

Mr. SHERMAN. I will not only ask the Department to do so but I will do it myself. I have done it at some time, but I can not turn to the provision in a moment. There are a great many treaties as the gentleman knows, and they are more or less complicated, and it is difficult to carry them all in one's mind.

Mr. BURTON. There is to be found there, as I said a moment ago, another section in which it speaks of building houses for the respective employees, but in the time I have given to it I was unable to find any article in which there was an affirmative provision for the furnishing or support of these respective employees.

Mr. SHERMAN. I looked over all of the treaties at various times, spent a good deal of time in studying them some time ago, and satisfied myself of the correctness of them all; but since then I have not gone over them each year. For instance, as a result of that examination, on page 17, under the Quapaws, I found the provision for education under the third article that that was to be done during such time as the President thought that it was for the best interest of the Indians; so I had incorporated in the Indian bill the next year a provision which has been continued ever since.

It was a proviso reading, "Provided, That the President of the United States shall certify the same to be for the best interests of the Indians." That provision had never been in the bill before, as near as I could find. It was inserted two or three years ago. I called the attention of the committee to very many peculiar provisions of the treaties, and we attempted to correct any incongruities in former bills, and I think we did it in most cases—at any rate, we certainly intended to. While I can not, at this moment, turn to the provision to which the gentleman refers in regard to the Shoshones, I will not only look it up and call his attention to it, but will call the attention of the Indian Office to it.

Mr. BURTON. I should like to suggest to the gentleman that there are several other treaties made about that time—1868, I think—in which there seems to be the same phraseology and the same omission of the affirmative clause to which I have referred.

Mr. SHERMAN. I am obliged to the gentleman for calling my attention to it. If there is anything that ought not to be there, I wish it corrected.

Mr. BURTON. I withdraw the amendment.

The Clerk read as follows:

For subsistence of the Sioux, and for purposes of their civilization, as per agreement ratified by act of Congress approved February 23, 1877, \$850,000: *Provided*, That this sum shall include transportation of supplies from the termination of railroad or steamboat transportation, and in this service Indians shall be employed when practicable: *And provided further*, That the number of rations issued shall not exceed the number of Indians on each reservation, and any excess in the number of rations issued shall be disallowed in the settlement of the agent's account: *Provided further*, That the unexpended balance for the fiscal year 1903 is hereby appropriated and made available for 1904.

Mr. BURTON. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 9 strike out "eight" and insert "four;" so as to read "\$480,000;" and strike out at the end of the paragraph the following: "*Provided further*, That the unexpended balance for the year 1903 is hereby appropriated and made available for 1904."

Mr. BURTON. Mr. Chairman, it seems to me that this item, which to a casual observer must appear the most extravagant in the whole bill, should be carefully explained to the House, so that we may know the reason for this very large appropriation. What is the number of these Indians? What progress are they making in civilization? Why is it that \$850,000 is necessary for their subsistence? Because the language "for purposes of their civilization" may be regarded as thrown in, as is often the case with statutes and contracts, as surplusage. Why is this large appropriation necessary? If there was a balance left over from last year—that is, if \$850,000 was more than sufficient last year—why should we this year appropriate \$850,000 again?

Mr. SHERMAN. As a matter of fact, I made inquiry particularly at the Indian Office as to the amount of the unexpended balance of this appropriation, and the Commissioner advises me—

It is impossible at this time to even approximate the balance. If the present plans for the Sioux are carried out, it is predicted that the balance will be insignificant.

In other words, if the present plans be carried out to the end of the fiscal year, there will be required for that purpose all of the \$850,000 heretofore appropriated.

There are twenty-odd thousand of these Sioux; some of them are self-supporting, some are not. It is amongst these Indians that the Commissioner is now doing the greatest amount of work toward abolishing the issuance of rations without labor. It is there that the Commissioner obtains from the Indians some manner of service to entitle them to the rations.

This sum is not greater, in the judgment of the Indian Office, than is required to properly care for these Indians as they have been cared for in the past—no better, no worse—better only in that service is now required of them, whereas service has heretofore not been required.

My judgment is based upon the judgment of the officials who administer the law, who expend the money. Their judgment, based upon many years of experience—five years under the present Commissioner—is that the sum appropriated last year and asked for again this year is no more than is necessary to meet the needs of the case.

Mr. BURTON. Mr. Chairman, I do not think we ought to allow this very large item to go by without some attention. It is stated by the gentleman from New York that there are about 20,000 of these Sioux. Here is an aggregate appropriation of \$1,172,000. When we take out those Indians who are absent from the reservation, those who have farms in allotment, and make other deductions, it will appear that \$60 apiece is being appropriated for these Indians. There was a professor in some college near Chicago who expressed the opinion last autumn that a family ought to get along on \$300 a year. This statement was received with a great deal of disfavor. It was said to be cruel and thoughtless for a professor to make the statement that a family could live on \$300 a year.

It is very evident from a good many provisions in this bill that the Indian Department wanted to utter their protest against that idea, for they have in some cases recommended for Indian tribes that have immense tracts of land and in some cases considerable quantities of cattle and sheep sums amounting to \$300 a year and more per family.

Mr. SHERMAN. Oh, no.

Mr. BURTON. I can cite instances.

Mr. SHERMAN. The number of these Sioux, which I put in round figures at 20,000, is about 27,000, which would make about \$100 per family.

Mr. BURTON. The gentleman's statement a few moments ago was 20,000; but take the number as 27,000. An appropriation of \$1,172,000 for that number would be about \$40 apiece, or \$200 per family. In addition to that, these Indians have an immense reservation. They are preferred (and this is by statute) in employment. Special effort is made by the Government to give them teaming to do. Yet, with all these facts in view, we are paying for their subsistence and civilization \$200 per family—about \$40 apiece. It does seem to me, Mr. Chairman, that this ought to stop. I take it it has been going on at this figure for many years, and unless we put some brake upon it—unless we say that \$1,172,000 is too much for this Indian tribe—it will go on indefinitely, not through any fault of the committee—I want to disclaim especially any attack on the Committee on Indian Affairs.

I repeat what I said a while ago, that if any criticism is to be raised against them it is because they have too implicitly adopted

the recommendations made by the Department; and the criticism that rests upon the Indian Department is that, recognizing this extravagance, recognizing that the policy which has been pursued is all wrong, they have gone on perfunctorily—almost automatically—sending in year by year these very large recommendations.

Mr. Chairman, if no further discussion is desired, I ask for a vote on the proposed amendment.

Mr. SHERMAN. Mr. Chairman, I trust the amendment will not prevail.

As I stated a moment ago, the judgment of the administrative officer who has had charge of this matter for more than five years is that the sum now proposed to be appropriated is only adequate. I do not care whether the proviso which the gentleman proposes to strike out be left in or not, because there will be practically no surplus or unexpended balance for the present year; but I trust that the amendment reducing by one-half the amount proposed to be appropriated will not prevail.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Ohio.

The amendment was rejected.

The Clerk read as follows:

For support and maintenance of day and industrial schools, including purchase, erection, and repairs of school buildings, in accordance with Article VII of the treaty of April 29, 1868, which article is continued in force for twenty years by section 17 of the act of March 2, 1889, \$225,000; in all, \$1,172,000.

Mr. BURTON. I move to strike out the last clause of that. I should like to ask in regard to this what the number of scholars is who are benefited by this expenditure of \$225,000? Also, in the report filed is this \$225,000 included in the expense of the education of the Indians, or is it a separate item?

Mr. SHERMAN. I did not quite understand the gentleman's question.

Mr. BURTON. In the first place, how many Indians are benefited by it; how many are attending school?

Mr. SHERMAN. I will tell the gentleman in a moment. I will have to look it up.

Mr. BURTON. The second question is this: Is this item of \$225,000 for education included in the general estimate for education of the Indians, or is this a separate item?

Mr. SHERMAN. This is a separate item, provided for in this treaty, which makes specific provision in reference to it. For instance, the United States, under that treaty, agree that for every 30 children between 6 and 15 years of age a house shall be provided and a teacher obtained to teach the elementary branches of English education, etc. And under the act of 1889, for twenty years from and after the time that act took effect, that provision is continued in force. The number of children of school age amongst the Sioux I will have to find in the report here, which will take a few moments. I should suppose that the number would be four thousand, perhaps more, in the various Sioux tribes; not less than four thousand.

Mr. BURTON. In what State or States?

Mr. SHERMAN. They are mostly in South Dakota. They are scattered. There are some in Nebraska and some in North Dakota and some in Montana, but the great bulk of the Sioux tribe is in South Dakota.

It will take some few minutes to hunt up from the various places in the report the exact number of children of school age in the Sioux tribe, but I will get them for the gentleman in a few minutes.

Mr. BURTON. May I ask whether in the amount given in your report for education, this \$3,000,000, that sum is included?

Mr. SHERMAN. The large amount for school purposes to which you refer is a gratuity and has no reference to these treaty sums.

Mr. BURTON. And is exclusive of this item?

Mr. SHERMAN. And is exclusive of these treaty provisions.

Mr. BURTON. Does this treaty provide for any determination of this provision for schools?

Mr. SHERMAN. Yes, twenty years from 1889.

Mr. BURTON. There is one point about which the gentleman has given me no information. That is as to the number of children of school age.

Mr. SHERMAN. I will get it in a moment. It is 5,383.

Mr. BURTON. I withdraw the amendment, then.

The Clerk read as follows:

#### SPOKANES.

For pay of a blacksmith and carpenter to do necessary work and to instruct the said Indians in those trades, \$1,000 each, per sixth article of said agreement, \$2,000.

Mr. BURTON. I move to strike out the last word. I would call the attention of the gentleman from New York [Mr. SHERMAN] to the fact that there is no reference to what agreement this is, unless it refers to the preceding Sioux-Yankton tribe, which can hardly be. The language of this section is "per sixth

article of said agreement." That occurs in line 15. There is no agreement referred to.

Mr. SHERMAN. That should be supplied. I will offer an amendment correcting that. I can not do it at this moment, but I will prepare an amendment to correct that. I ask unanimous consent that that be informally passed.

The CHAIRMAN. Without objection it will be passed over. The Clerk read as follows:

For support and maintenance of day and industrial schools, including purchase, erection, and repairs of school buildings, in accordance with article 7, of the treaty of April 29, 1868, which article is continued in force for twenty years by section 17 of the act of March 2, 1889, \$225,000; in all, \$1,172,000.

Mr. SHERMAN. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. DALZELL having taken the chair as Speaker pro tempore, Mr. GROSVENOR, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15804) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with the various Indian tribes for the fiscal year ending June 30, 1904, and for other purposes, and had come to no resolution thereon.

#### CHANGE OF REFERENCE.

By unanimous consent, the bill (H. R. 15704) for raising revenue and other purposes was withdrawn from the further consideration of the Committee on Ways and Means and referred to the Committee on the Judiciary.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SCOTT for one week, on account of important business.

#### ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bills of the following titles:

H. R. 15506. An act to amend section 14 of an act entitled "An act to divide the State of Texas into four judicial districts;"

H. R. 14275. An act providing for additional terms of court in the western judicial district of the State of South Carolina; and

H. R. 14839. An act providing that the circuit court of appeals of the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama, on the first Monday in September in each year.

#### ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. J. Res. 16. Joint resolution to carry into effect two resolutions of the Continental Congress directing monuments to be erected to the memory of Gens. Francis Nash and William Lee Davidson, of North Carolina;

H. R. 10522. An act to provide for laying a single electric street railway track across the Aqueduct Bridge in the District of Columbia, and for other purposes;

H. R. 15510. An act to promote the efficiency of the Philippine constabulary, to establish the rank and pay of its commanding officers, and for other purposes;

H. R. 10300. An act conferring jurisdiction upon the circuit and district courts for the district of South Dakota in certain cases, and for other purposes;

H. R. 15708. An act to extend the time for the completion of the incline railway on West Mountain, Hot Springs Reservation;

H. R. 14518. An act granting an increase of pension to James D. Kiper;

H. R. 6649. An act for the relief of Julius A. Kaiser;

H. R. 2974. An act for the relief of J. V. Worley;

H. R. 7664. An act providing for the compulsory attendance of witnesses before registers and receivers of the land office; and

H. R. 15066. An act to incorporate the Association of Military Surgeons of the United States.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 6155. An act granting an increase of pension to William Markle;

S. 6071. An act granting an increase of pension to Mary Manes;

S. 6492. An act granting an increase of pension to Thomas Starrat;

S. 6514. An act granting an increase of pension to Stephen J. Houston;

S. 2296. An act to amend an act approved March 2, 1895, relating to public printing;

S. 6526. An act granting an increase of pension to Orin T. Fall;  
 S. 6548. An act granting an increase of pension to David G. Morgan;  
 S. 6467. An act granting an increase of pension to Sarah E. Ropes;  
 S. 6614. An act granting an increase of pension to Bertha R. Koops;  
 S. 6693. An act granting a pension to Mary J. Ivey;  
 S. 2806. An act granting an increase of pension to Laura S. Picking;  
 S. 1131. An act granting an increase of pension to Sydda B. Arnold;  
 S. 6361. An act granting a pension to Emma Dean Powell;  
 S. 1903. An act granting an increase of pension to Hamline B. Williams;  
 S. 1614. An act granting an increase of pension to Nelson W. Carlton;  
 S. 252. An act granting an increase of pension Levi H. Peddy-cord;  
 S. 1637. An act granting an increase of pension to Annie A. Neary;  
 S. 1978. An act granting an increase of pension to Wesley S. Potter;  
 S. 2084. An act granting an increase of pension to Samuel E. Ewing;  
 S. 2863. An act granting an increase of pension to Mary L. Purington;  
 S. 3238. An act granting a pension to Martha E. Hench;  
 S. 3250. An act granting an increase of pension to Winfield S. Pietz;  
 S. 3298. An act granting an increase of pension to William A. Gemball;  
 S. 3607. An act granting an increase of pension to Oliver P. Helton;  
 S. 3730. An act granting an increase of pension to Jonas Olmstead;  
 S. 3773. An act granting an increase of pension to Leroy Roberts;  
 S. 3940. An act granting an increase of pension to Eliza C. Deery;  
 S. 3970. An act granting an increase of pension to Mary E. Fales;  
 S. 4121. An act granting a pension to Elizabeth Jacobs;  
 S. 4296. An act granting a pension to Andrew Ady;  
 S. 4332. An act granting an increase of pension to Mary B. Heddelton;  
 S. 4401. An act granting an increase of pension to Frederick Kropf;  
 S. 4412. An act granting an increase of pension to John J. Rees;  
 S. 4515. An act granting an increase of pension to Alfred O. Blood;  
 S. 4827. An act granting an increase of pension to George W. Stott;  
 S. 3644. An act granting an increase of pension to James Mealey;  
 S. 5244. An act granting an increase of pension to William H. Maxwell;  
 S. 5280. An act granting a pension to Dollie Casens;  
 S. 5353. An act granting an increase of pension to William Flinn;  
 S. 5355. An act granting an increase of pension to George A. King;  
 S. 5413. An act granting an increase of pension to Henry E. Spring;  
 S. 5642. An act granting an increase of pension to Nicholas Smith;  
 S. 5976. An act granting an increase of pension to Melton Frazier;  
 S. 6182. An act granting an increase of pension to Lela L. Egbert; and  
 S. 6257. An act granting an increase of pension to Mary B. Keller.

## SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 7077. An act granting an increase of pension to Syrus B. Norris—to the Committee on Invalid Pensions.  
 S. 6563. An act granting an increase of pension to William A. Dougan—to the Committee on Invalid Pensions.  
 S. 4466. An act granting an increase of pension to Archibald McIntire—to the Committee on Invalid Pensions.

S. 2799. An act granting an increase of pension to Israel V. Hoag—to the Committee on Invalid Pensions.  
 S. 2259. An act granting a pension to Sarah J. Snook—to the Committee on Invalid Pensions.  
 S. 7003. An act granting an increase of pension to Sarah C. Merrell—to the Committee on Invalid Pensions.  
 S. 7060. An act granting an increase of pension to Ann M. Jackman—to the Committee on Invalid Pensions.  
 S. 4337. An act granting an increase of pension to Elizabeth Thompson—to the Committee on Invalid Pensions.  
 S. 6981. An act granting an increase of pension to Lorenzo P. Dunklee—to the Committee on Invalid Pensions.  
 S. 6982. An act granting an increase of pension to Lind F. Moulton—to the Committee on Invalid Pensions.  
 S. 6984. An act granting an increase of pension to Maria A. Marden—to the Committee on Invalid Pensions.  
 S. 6985. An act granting an increase of pension to George Cummings—to the Committee on Invalid Pensions.  
 S. 6367. An act granting an increase of pension to Edmund P. Fox—to the Committee on Invalid Pensions.  
 S. 4087. An act granting a pension to Lemuel Kingsbury—to the Committee on Invalid Pensions.  
 S. 3249. An act granting an increase of pension to Charles W. Scherzer—to the Committee on Invalid Pensions.  
 S. 4379. An act granting an increase of pension to George Davis—to the Committee on Invalid Pensions.  
 S. 4544. An act granting an increase of pension to Phineas L. Squires—to the Committee on Invalid Pensions.  
 S. 6694. An act granting an increase of pension to Burrell G. Wood—to the Committee on Pensions.  
 S. 6373. An act granting an increase of pension to Joseph D. Lockhart—to the Committee on Pensions.  
 S. 5991. An act granting an increase of pension to William Barrett—to the Committee on Invalid Pensions.  
 S. 5507. An act granting an increase of pension to Jarrett F. Rigg—to the Committee on Invalid Pensions.  
 S. 5932. An act granting an increase of pension to William Kirkpatrick—to the Committee on Invalid Pensions.  
 S. 3542. An act granting an increase of pension to William H. Shaw—to the Committee on Invalid Pensions.  
 S. 2356. An act granting an increase of pension to Andrew J. Pennel—to the Committee on Invalid Pensions.  
 S. 4760. An act granting an increase of pension to John Hamilton—to the Committee on Invalid Pensions.  
 S. 1939. An act granting an increase of pension to John M. Drake—to the Committee on Invalid Pensions.  
 S. 6431. An act granting an increase of pension to James Greenman—to the Committee on Invalid Pensions.  
 S. 6641. An act granting an increase of pension to Sophie S. Shaffer—to the Committee on Invalid Pensions.  
 S. 6063. An act granting an increase of pension to Orson Nickerson—to the Committee on Invalid Pensions.  
 S. 3929. An act granting an increase of pension to L. A. Brace—to the Committee on Invalid Pensions.  
 S. 6731. An act granting an increase of pension to Benjamin N. Bond—to the Committee on Invalid Pensions.  
 S. 4807. An act granting an increase of pension to Emmett C. Hill—to the Committee on Invalid Pensions.  
 S. 1128. An act granting an increase of pension to Lyman Matthews—to the Committee on Invalid Pensions.  
 S. 6703. An act to restore to the pension roll the name of Henrietta V. West—to the Committee on Invalid Pensions.  
 S. 6305. An act granting an increase of pension to James B. Taylor—to the Committee on Invalid Pensions.  
 S. 6096. An act granting an increase of pension to Hester A. R. Landers—to the Committee on Invalid Pensions.  
 S. 5568. An act granting an increase of pension to Emma R. Cropsey—to the Committee on Invalid Pensions.  
 S. 4029. An act granting a pension to Mary J. Parker—to the Committee on Pensions.  
 S. 2302. An act granting a pension to Rose Crummett—to the Committee on Invalid Pensions.  
 S. 6845. An act granting an increase of pension to Martin G. Cushing—to the Committee on Invalid Pensions.  
 S. 6668. An act granting an increase of pension to Charles Graham—to the Committee on Invalid Pensions.  
 S. 6623. An act granting an increase of pension to Gilbert E. Bushnell—to the Committee on Invalid Pensions.  
 S. 4429. An act granting a pension to Alvira Randall—to the Committee on Invalid Pensions.  
 S. 6798. An act granting an increase of pension to Charles F. Sheldon—to the Committee on Invalid Pensions.  
 S. 6842. An act granting an increase of pension to Stephen B. Swett—to the Committee on Invalid Pensions.

S. 14. An act granting a pension to George F. Howe—to the Committee on Invalid Pensions.

S. 2130. An act granting a pension to Margaret A. Munson—to the Committee on Invalid Pensions.

S. 6631. An act granting an increase of pension to Mitchell Hunt—to the Committee on Invalid Pensions.

S. 6632. An act granting an increase of pension to Frank Cleaves—to the Committee on Invalid Pensions.

S. 6795. An act granting an increase of pension to Hannah J. G. Hopkins—to the Committee on Invalid Pensions.

S. 6748. An act granting an increase of pension to Ann M. Haskell—to the Committee on Invalid Pensions.

S. 5006. An act granting a pension to Annie P. Pinney—to the Committee on Invalid Pensions.

S. 6413. An act granting an increase of pension Harold P. Waldo—to the Committee on Pensions.

S. 2596. An act granting an increase of pension to Israel F. Barnes—to the Committee on Invalid Pensions.

S. 5053. An act granting a pension to Deborah Edwards—to the Committee on Invalid Pensions.

S. 4892. An act granting an increase of pension to John Debrunner—to the Committee on Invalid Pensions.

S. 5526. An act granting an increase of pension to Benjamin F. Cornman—to the Committee on Invalid Pensions.

S. 7076. An act granting an increase of pension to Charles C. Pinkham—to the Committee on Invalid Pensions.

S. 6769. An act to increase the limit of cost for the purchase of a site and the erection of a public building at Indianapolis, Ind.—to the Committee on Public Buildings and Grounds.

S. 6841. An act granting an increase of pension to Charles S. Boyington—to the Committee on Invalid Pensions.

S. 3632. An act granting an increase of pension to Frank E. Freeman—to the Committee on Invalid Pensions.

S. 6569. An act to authorize the construction of a bridge across the Missouri River at a point to be selected within 10 miles of the corporate limits of the city of St. Charles, in St. Charles County, Mo., and in St. Louis County, Mo., and to make the same a post route—to the Committee on Interstate and Foreign Commerce.

S. 1168. An act to authorize the appointment of Edward L. Bailey as captain of infantry, United States Army, and to place him on the retired list—to the Committee on Military Affairs.

S. 4905. An act authorizing the President to nominate Lieut. Commander Arthur P. Osborn to be a commander on the retired list of the Navy—to the Committee on Naval Affairs.

S. 6278. An act to extend the provisions of chapter 8, Title XXXII, of the Revised Statutes of the United States, entitled "Reservation and sale of town sites on the public lands," to the ceded Indian lands in the State of Minnesota—to the Committee on the Public Lands.

S. 6408. An act to provide a depot for the Revenue-Cutter Service—to Committee on Interstate and Foreign Commerce.

S. R. 156. Joint resolution dedicating to the city of Columbus, in the State of Ohio, for uses and purposes of the public streets, part of property conveyed to the United States by Robert Neil by deed dated February 17, 1863, recorded in deed book 76, page 572, etc., Franklin County records—to the Committee on Military Affairs.

S. 6192. An act granting an increase of pension to Austin H. Patterson—to the Committee on Invalid Pensions.

S. 2591. An act granting an increase of pension to George W. McComb—to the Committee on Invalid Pensions.

S. 2626. An act granting an increase of pension to Ardenia Dillon—to the Committee on Invalid Pensions.

S. R. 146. Joint resolution to extend the time for construction of the Akron, Sterling and Northern Railroad in Alaska—to the Committee on the Territories.

And then, on motion of Mr. PAYNE (at 5 o'clock and 10 minutes p. m.), the House adjourned.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for road to Antietam National Cemetery—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting revised estimates of appropriation for buildings and grounds in and around Washington—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a

copy of a communication from the Secretary of War submitting an estimate of appropriation for the military post at Manila, P. I.—to the Committee on Appropriations, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. PARKER, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 3512) concerning minimum punishment in certain cases arising in the Indian Territory, reported the same with amendment, accompanied by a report (No. 3373); which said bill and report were referred to the House Calendar.

Mr. LITTLEFIELD, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 17) requiring all corporations engaged in interstate commerce to file returns with the Secretary of the Treasury, disclosing their true financial condition, and of their capital stock, and imposing a tax upon such as have outstanding capital stock unpaid in whole or in part, reported the same with amendments, accompanied by a report (No. 3375); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CLAYTON, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 15331) to amend an act to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases, approved August 8, 1890, reported the same with amendments, accompanied by a report (No. 3377); which said bill and report were referred to the House Calendar.

Mr. PALMER, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 16334) fixing terms of United States courts in Colorado, reported the same with amendments, accompanied by a report (No. 3378); which said bill and report were referred to the House Calendar.

Mr. STEPHENS of Texas, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 16776) in relation to pharmacy in the Indian Territory, reported the same without amendment, accompanied by a report (No. 3379); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 15986) regulating the practice of medicine and surgery in the Indian Territory, reported the same without amendment, accompanied by a report (No. 3380); which said bill and report were referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13772) granting an increase of pension to Marcus L. Vermillion, reported the same with amendments, accompanied by a report (No. 3316); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 14448) granting a pension to James M. Cartmill, reported the same with amendments, accompanied by a report (No. 3317); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9274) granting a pension to Jessie V. Cluxton, reported the same with amendments, accompanied by a report (No. 3318); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14439) granting an increase of pension to Franklin Peale, reported the same with amendment, accompanied by a report (No. 3319); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16353) granting an increase of pension to William F. Ritchie, reported the same without amendment, accompanied by a report (No. 3320); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8187) granting a pension to William T. Moore, reported the same with amendments,

accompanied by a report (No. 3321); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16756) granting an increase of pension to John Brown, reported the same with amendment, accompanied by a report (No. 3322); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 304) granting an increase of pension to George M. Duffy, reported the same with amendment, accompanied by a report (No. 3323); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4155) granting an increase of pension to Eliza Wende, reported the same with amendments, accompanied by a report (No. 3324); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16789) granting an increase of pension to E. G. Rutherford, reported the same with amendments, accompanied by a report (No. 3325); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 16538) granting an increase of pension to William Downs, reported the same with amendments, accompanied by a report (No. 3326); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10691) granting an increase of pension to Daniel Van Wie, reported the same with amendment, accompanied by a report (No. 3327); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10922) granting an increase of pension to Joseph Feldhausen, reported the same with amendment, accompanied by a report (No. 3328); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16859) granting a pension to Florence M. Stout, reported the same with amendments, accompanied by a report (No. 3329); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16717) granting an increase of pension to Albert W. Thompson, reported the same with amendments, accompanied by a report (No. 3330); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16856) granting a pension to John Burke, reported the same with amendments, accompanied by a report (No. 3331); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14378) granting a pension to Reuben Vermillion, reported the same with amendment, accompanied by a report (No. 3332); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6876) granting an increase of pension to Thomas B. Faught, reported the same with amendment, accompanied by a report (No. 3333); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16752) granting a pension to Anton Southoff, reported the same with amendment, accompanied by a report (No. 3334); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13713) granting an increase of pension to Rebecca Randolph, reported the same with amendments, accompanied by a report (No. 3335); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12371) granting a pension to Ellen A. Plumley, reported the same with amendment, accompanied by a report (No. 3336); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15768) granting an increase of pension to William J. Jubb, reported the same without amendment, accompanied by a report (No. 3337); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15842) granting a pension to Mary M. Talcott, reported the same with amend-

ment, accompanied by a report (No. 3338); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 699) granting an increase of pension to Franklin Chase, reported the same without amendment, accompanied by a report (No. 3339); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1043) granting an increase of pension to Harriet Hatch, reported the same without amendment, accompanied by a report (No. 3340); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1166) granting an increase of pension to Charles W. Colby, reported the same without amendment, accompanied by a report (No. 3341); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1194) granting an increase of pension to Thomas J. George, reported the same without amendment, accompanied by a report (No. 3342); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1873) granting an increase of pension to Hilar D. Davis, reported the same without amendment, accompanied by a report (No. 3343); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2114) granting an increase of pension to Sarah B. Barger, reported the same without amendment, accompanied by a report (No. 3344); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2270) granting an increase of pension to Sarah J. Warren, reported the same without amendment, accompanied by a report (No. 3345); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3912) granting an increase of pension to John T. Deweese, reported the same without amendment, accompanied by a report (No. 3346); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4023) granting an increase of pension to Alman J. Houston, reported the same without amendment, accompanied by a report (No. 3347); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4140) granting an increase of pension to James O'Neil, reported the same without amendment, accompanied by a report (No. 3348); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4239) granting an increase of pension to Oscar H. Prink, reported the same without amendment, accompanied by a report (No. 3349); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4305) granting an increase of pension to Daniel G. Towle, reported the same without amendment, accompanied by a report (No. 3350); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4656) granting an increase of pension to Orlando C. Osborn, reported the same without amendment, accompanied by a report (No. 3351); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4702) granting an increase of pension to Ephraim Cunningham, reported the same without amendment, accompanied by a report (No. 3352); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4854) granting an increase of pension to Cassius B. Fisher, reported the same without amendment, accompanied by a report (No. 3353); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5508) granting an increase of pension to George J. Cheney, reported the same without amendment, accompanied by a report (No. 3354); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to

which was referred the bill of the Senate (S. 5610) granting an increase of pension to Joseph Twycross, reported the same without amendment, accompanied by a report (No. 3355); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5786) granting a pension to Julia A. Jordan, reported the same without amendment, accompanied by a report (No. 3356); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5841) granting an increase of pension to John A. Barcus, reported the same without amendment, accompanied by a report (No. 3357); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5952) granting an increase of pension to Henry L. Davenport, reported the same without amendment, accompanied by a report (No. 3358); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6026) granting an increase of pension to Eliza Little, reported the same without amendment, accompanied by a report (No. 3359); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6050) granting an increase of pension to Charles H. Barnes, reported the same without amendment, accompanied by a report (No. 3360); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6107) granting an increase of pension to Hattie Connell, reported the same without amendment, accompanied by a report (No. 3361); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6219) granting an increase of pension to Nannie Cushman, reported the same without amendment, accompanied by a report (No. 3362); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6262) granting an increase of pension to Charles C. Chesley, reported the same without amendment, accompanied by a report (No. 3363); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6263) granting a pension to Rachel E. Bullard, reported the same without amendment, accompanied by a report (No. 3364); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6326) granting an increase of pension to Luther D. Goddard, reported the same without amendment, accompanied by a report (No. 3365); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6329) granting an increase of pension to Mary A. Noyes, reported the same without amendment, accompanied by a report (No. 3366); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6422) granting an increase of pension to Ann A. Hersum, reported the same without amendment, accompanied by a report (No. 3367); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6452) granting a pension to S. Josie Hill, reported the same without amendment, accompanied by a report (No. 3368); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6465) granting an increase of pension to Alonzo Gilbert, reported the same without amendment, accompanied by a report (No. 3369); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6466) granting an increase of pension to Willard A. Jackson, reported the same without amendment, accompanied by a report (No. 3370); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6500) granting an increase of pension to Caroline W. Bixby, reported the same without amendment, accompanied by a report (No. 3371); which said bill and report were referred to the Private Calendar.

Mr. NEVIN, from the Committee on Claims, to which was re-

ferred the bill of the House (H. R. 9995) for the relief of the Ditmar Powder and Chemical Company, of New York City, reported the same without amendment, accompanied by a report (No. 3374); which said bill and report were referred to the Private Calendar.

Mr. CLAYTON, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 6333) to divest out of the United States all its right, title, and interest of, in, and to certain real estate situated at and near the city of Montgomery, State of Alabama, and to vest the same in the Southern Cotton Oil Company, Bessie R. Maultsby, James S. Pinckard, trustee, M. V. B. Chase, and Edwin Ferris, reported the same without amendment, accompanied by a report (No. 3376); which said bill and report were referred to the Private Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 16978) for the relief of John Jacoby—Committee on Claims discharged, and referred to the Committee on the District of Columbia.

A bill (H. R. 7442) for the relief of Frances M. Egan, administratrix of Patrick Egan, deceased—Committee on Claims discharged, and referred to the Committee on War Claims.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HEMENWAY, from Committee on Appropriations: A bill (H. R. 17046) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes—to the Union Calendar.

By Mr. BROWNLOW: A bill (H. R. 17047) to empower the Secretary of War to allow burial of wives of deceased enlisted men in national cemeteries in the same graves as deceased soldiers—to the Committee on Military Affairs.

By Mr. GRIFFITH (by request): A bill (H. R. 17048) to provide for the issue of legal-tender certificates and to provide for the issuance of United States bonds, the certificates and bonds being interchangeable at any time, and for other purposes—to the Committee on Banking and Currency.

By Mr. HENRY C. SMITH: A bill (H. R. 17049) for post-office building at Wyandotte, Mich.—to the Committee on Public Buildings and Grounds.

By Mr. PEARRE: A bill (H. R. 17050) to amend an act entitled "An act to establish a code of law for the District of Columbia"—to the Committee on the District of Columbia.

By Mr. UNDERWOOD: A bill (H. R. 17051) to protect merchants and traders from oppression by trusts and combines—to the Committee on the Judiciary.

By Mr. RICHARDSON of Alabama: A bill (H. R. 17052) to authorize the building of a railroad bridge across the Tennessee River at a point between Lewis Bluff, in Morgan County, Ala., and Guntersville, in Marshall County, Ala.—to the Committee on Interstate and Foreign Commerce.

By Mr. DICK: A bill (H. R. 17053) to provide for a militia veteran reserve, and for other purposes—to the Committee on Militia.

Also, a bill (H. R. 17054) to provide for the organization of the United States volunteer reserve, and for other purposes—to the Committee on Military Affairs.

By Mr. GARDNER of Michigan: A bill (H. R. 17055) to increase the limit of cost for the purchase of site and the erection of a public building at Battle Creek, Mich.—to the Committee on Public Buildings and Grounds.

By Mr. LOUDENSLAGER: A bill (H. R. 17084) relating to the payment and disposition of pension money due to inmates of the Government Hospital for the Insane—to the Committee on Pensions.

By Mr. SUTHERLAND: A joint resolution (H. J. Res. 257) authorizing the printing of additional copies of Report on Irrigation in Utah—to the Committee on Printing.

By Mr. EDWARDS: A memorial adopted by the senate of Montana, urging appropriation providing for the surveying and defining of the boundary line between Idaho and Montana—to the Committee on Appropriations.

By Mr. MILLER: A memorial concerning commerce between the several States of the Union—to the Committee on Interstate and Foreign Commerce.

## PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. COWHERD: A bill (H. R. 17056) granting a pension to Thomas C. Baldwin—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 17057) granting a pension to Philetus G. Burch—to the Committee on Invalid Pensions.

By Mr. DOUGHERTY: A bill (H. R. 17058) granting an increase of pension to William A. Graham—to the Committee on Invalid Pensions.

By Mr. GRAFF: A bill (H. R. 17059) for the relief of Noah Dillard—to the Committee on Claims.

By Mr. GRIFFITH: A bill (H. R. 17060) granting an increase of pension to Eli Duval—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 17061) granting an increase of pension to Carlos H. Rich—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 17062) to authorize the President to appoint Gen. A. S. Daggett to the grade of major-general in the United States Army on the retired list—to the Committee on Military Affairs.

By Mr. MCCALL: A bill (H. R. 17063) granting an increase of pension to Rose Murphy—to the Committee on Invalid Pensions.

By Mr. MORRELL: A bill (H. R. 17064) granting a pension to Martha A. Much—to the Committee on Pensions.

By Mr. POWERS of Massachusetts: A bill (H. R. 17065) granting a pension to Charles A. Hunter—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 17066) for the relief of A. J. Harper—to the Committee on Claims.

By Mr. SHALLENBERGER: A bill (H. R. 17067) granting a medal to George W. Churchill—to the Committee on Military Affairs.

By Mr. SIMS: A bill (H. R. 17068) to correct the military record of John Turnbo, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 17069) for the relief of J. M. Rice—to the Committee on War Claims.

By Mr. SKILES: A bill (H. R. 17070) granting a pension to Walter J. Sutter—to the Committee on Pensions.

Also, a bill (H. R. 17071) granting a pension to B. W. McCray—to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 17072) granting a pension to Winfield S. Webster—to the Committee on Invalid Pensions.

By Mr. HENRY C. SMITH: A bill (H. R. 17073) granting a pension to Jane C. Van Akin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17074) granting a pension to Martha Higgins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17075) for the relief of William A. Clark—to the Committee on War Claims.

By Mr. TIRRELL: A bill (H. R. 17076) to authorize the conveyance to the town of Winthrop, Mass., for perpetual use as a public road, a certain tract of land—to the Committee on Military Affairs.

By Mr. HEPBURN: A bill (H. R. 17077) granting a pension to Malissa F. Northrup—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17078) granting an increase of pension to John Newsome—to the Committee on Invalid Pensions.

By Mr. MEYER of Louisiana: A bill (H. R. 17079) for the relief of Francis M. Fisk—to the Committee on War Claims.

By Mr. DAYTON: A bill (H. R. 17080) granting an increase of pension to Mary C. Hanen, widow of Jeremiah L. Hanen—to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 17081) granting a pension to Mary Hon, widow of Moses J. Hon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17082) for the relief of Thomas Beatty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17083) granting an increase of pension to George W. Schachleiter—to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Resolution of International Brotherhood of Electrical Workers, Philadelphia, favoring the repeal of the desert-land law—to the Committee on the Public Lands.

By Mr. ALEXANDER: Resolutions of North Tonawanda (N. Y.) Board of Trade, protesting against House bill 12762, to authorize the Mather Power Bridge Company to erect experi-

mental span in Niagara River at Buffalo, N. Y.—to the Committee on Interstate and Foreign Commerce.

By Mr. BENTON: Petitions of retail druggists of Carterville, Monett, Joplin, Mindenmines, and Golden City, Mo., urging the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. CASSINGHAM: Petition of the Woman's Christian Temperance Union of Alexandria, Ohio, in favor of legislation in restraint of the liquor traffic—to the Committee on Alcoholic Liquor Traffic.

By Mr. CLARK: Map of a portion of the Missouri River near Marthasville, Mo., to accompany petition for river improvement—to the Committee on Rivers and Harbors.

By Mr. COOPER of Wisconsin: Petition of the Good Shepherd Church, Racine, Wis., for the passage of a bill to forbid the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of retail druggists of Beloit, Wis., urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

Also, resolutions of Milwaukee Typographical Union, No. 23, favoring the repeal of the desert-land and homestead-commutation acts—to the Committee on the Public Lands.

By Mr. ESCH: Petition of Bush Praise Woman's Christian Temperance Union, Lafayette, Wis., in favor of legislation in restraint of the liquor traffic—to the Committee on Alcoholic Liquor Traffic.

By Mr. GRAHAM: Petition and circular of the International Reform Bureau, in support of the anticaneen law—to the Committee on Military Affairs.

By Mr. HAMILTON: Petition of A. B. Wheeler & Co. and retail druggists of Berrien County, Mich., in favor of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. HEPBURN: Petition of citizens of Lineville, Iowa, to accompany House bill 15405, granting a pension to Harvey Gas-

kill—to the Committee on Invalid Pensions. Also, resolutions of the Baptist Church, Methodist-Episcopal Church, and Christian Church, of Murray, Iowa, for the passage of a bill to forbid the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HULL: Paper to accompany House bill 13142, granting an increase of pension to Jonathan Mohler—to the Committee on Invalid Pensions.

By Mr. JACKSON of Kansas: Petition of retail druggists of Coffeyville, Kans., for the enactment of House bill 178, for reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. LLOYD: Petition of druggists and citizens of Gibbs, Mo., urging the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. MAYNARD: Petition of the heir of William Lowe, deceased, late of Norfolk County, Va., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. McRAE: Petition of J. F. Tidwell and 2 other retail druggists of Waldo, Ark., for the removal of tax upon tobacco—to the Committee on Ways and Means.

By Mr. MIERS of Indiana: Papers to accompany House bill 15780, granting a pension to John R. Ward—to the Committee on Invalid Pensions.

By Mr. MINOR: Petition of retail druggists of Kaukauna, Wis., urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. RICHARDSON of Alabama: Papers to accompany House bill for the relief of A. J. Harper—to the Committee on Claims.

By Mr. RICHARDSON of Tennessee: Resolution of quarterly court of Marshall County, Tenn., and quarterly court of Lincoln County, Tenn., for an appropriation for the improvement of Elk River—to the Committee on Rivers and Harbors.

By Mr. ROBINSON of Indiana: Petition of S. Bash & Co., of Fort Wayne, Ind., favoring the passage of the Elkins bill, to increase the jurisdiction and powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. RUPPERT: Resolutions of the Board of Trade of Chicago, Ill., protesting against merging the Interstate Commerce Commission with the proposed department of commerce and labor—to the Committee on Interstate and Foreign Commerce.

By Mr. SKILES: Petitions of retail druggists of Ashland, Edison, Danville, and other towns in Ohio, urging the reduction of the tax on alcohol used in medicinal preparations—to the Committee on Ways and Means.

Also, petition of the Woman's Christian Temperance Union of North Fairfield, Ohio, for the passage of a bill to forbid the sale

of intoxicating liquors in all Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of the Board of Commerce of Norwalk, Ohio, asking for appropriate legislation for the Territory of Alaska—to the Committee on the Territories.

By Mr. SPERRY: Petition of retail druggists of Guilford, Conn., urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. WILEY: Petitions of E. G. Fowler, of Montgomery, and William Loyd, of Pineapple, Ala., urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. WILLIAMS of Illinois: Paper to accompany House bill granting a pension to Mastin W. Bond—to the Committee on Invalid Pensions.

## SENATE.

TUESDAY, January 27, 1903.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington. The Journal of yesterday's proceedings was read and approved.

### LEGISLATIVE JOURNAL OF HAWAII.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a copy of the journal of the senate of the second legislative assembly of the Territory of Hawaii in special session begun on the 20th day of November, 1902, and concluded on the 6th day of December, 1902; which was ordered to be printed, and, with the accompanying document, referred to the Committee on Pacific Islands and Porto Rico.

### PUGET SOUND AND LAKES WASHINGTON AND UNION CANAL.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of War, transmitting a letter from the Chief of Engineers. The attention of the Senator from Washington [Mr. TURNER] is called to the communication, which is in response to a resolution submitted by him a few days ago. The communication from the Chief of Engineers will be read.

The Secretary read as follows:

OFFICE OF THE CHIEF OF ENGINEERS,  
UNITED STATES ARMY,  
Washington, January 23, 1903.

Hon. ELIHU ROOT, Secretary of War.

SIR: I have the honor to return herewith a resolution of the Senate of the United States, dated January 21, 1903, directing the Secretary of War to transmit to the Senate the report of the Board of Engineers constituted to determine the feasibility of constructing a canal connecting Puget Sound with Lakes Washington and Union.

The river and harbor act of June 13, 1902, required the appointment of a Board of Engineers to consider the aforesaid subject, and directs that the report of such board shall be submitted to Congress at the present session.

The report of the board was received in this office a few days ago, and it is the intention to send it to Congress, as required by the law, just as soon as it can be properly examined and prepared for printing. The report is voluminous and it is essential that it be given careful consideration before submission to Congress. It is probable that it can be submitted to the Secretary of War within a few days.

Very respectfully, your obedient servant,

G. L. GILLESPIE,  
Brigadier-General, Chief of Engineers, U. S. Army.

Mr. TURNER. I move that the communication and accompanying letter from the Chief of Engineers lie on the table.

The motion was agreed to.

### CREDENTIALS.

Mr. DUBOIS presented the credentials of Weldon B. Heyburn, chosen by the legislature of the State of Idaho a Senator from that State for the term beginning March 4, 1903; which were read and ordered to be filed.

Mr. McCUMBER presented the credentials of HENRY CLAY HANSBROUGH, chosen by the legislature of the State of North Dakota a Senator from that State for the term beginning March 4, 1903; which were read and ordered to be filed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 1592) for the relief of F. M. Vowells.

The message also announced that the House had passed with amendments the following bills in which it requested the concurrence of the Senate:

A bill (S. 3243) to redeem certain outstanding certificates of the board of audit of the District of Columbia; and

A bill (S. 4221) authorizing the Commissioners of the District of Columbia to extinguish a portion of an alley in square 189.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 13630) to provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes;

A bill (H. R. 13781) to quitclaim all interest of the United States of America in and to square 1131 in the city of Washington, D. C., to Sidney Bieber;

A bill (H. R. 14899) to amend an act entitled "An act to incorporate the National Florence Crittenton Mission;"

A bill (H. R. 15799) to confirm the name of Seward square for the space formed by the intersection of C street south and Pennsylvania and North Carolina avenues, District of Columbia;

A bill (H. R. 16099) to cancel certain taxes assessed against the Kall tract; and

A bill (H. R. 16970) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1904, and for other purposes.

### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 252) granting an increase of pension to Levi H. Peddycoard;

A bill (S. 1131) granting an increase of pension to Sydda B. Arnold;

A bill (S. 1614) granting an increase of pension to Nelson W. Carlton;

A bill (S. 1637) granting an increase of pension to Annie A. Neary;

A bill (S. 1903) granting an increase of pension to Hamline B. Williams;

A bill (S. 1978) granting an increase of pension to Wesley S. Potter;

A bill (S. 2084) granting an increase of pension to Samuel E. Ewing;

A bill (S. 2296) to amend an act approved March 2, 1895, relating to public printing;

A bill (S. 2806) granting an increase of pension to Laura S. Picking;

A bill (S. 2863) granting an increase of pension to Mary L. Purington;

A bill (S. 3238) granting a pension to Martha E. Hench;

A bill (S. 3250) granting an increase of pension to Winfield S. Pietz;

A bill (S. 3298) granting an increase of pension to William A. Gemball;

A bill (S. 3607) granting an increase of pension to Oliver P. Helton;

A bill (S. 3644) granting an increase of pension to James Mealey;

A bill (S. 3730) granting an increase of pension to Jonas Olmstead;

A bill (S. 3773) granting an increase of pension to Leroy Roberts;

A bill (S. 3940) granting an increase of pension to Eliza C. Deery;

A bill (S. 3970) granting an increase of pension to Mary E. Fales;

A bill (S. 4121) granting a pension to Elizabeth Jacobs;

A bill (S. 4296) granting a pension to Andrew Ady;

A bill (S. 4332) granting an increase of pension to Mary B. Heddelson;

A bill (S. 4401) granting an increase of pension to Frederick Kropf;

A bill (S. 4412) granting an increase of pension to John J. Rees;

A bill (S. 4515) granting an increase of pension to Alfred O. Blood;

A bill (S. 4827) granting an increase of pension to George W. Stott;

A bill (S. 5244) granting an increase of pension to William H. Maxwell;

A bill (S. 5280) granting a pension to Dollie Casens;

A bill (S. 5352) granting an increase of pension to William Flinn;

A bill (S. 5355) granting an increase of pension to George A. King;

A bill (S. 5412) granting an increase of pension to Henry E. Spring;

A bill (S. 5642) granting an increase of pension to Nicholas Smith;

A bill (S. 5976) granting an increase of pension to Melton Frazier;